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SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



JOHN R. ASHCROFT

SECRETARY OF STATE

MISSOURI
REGISTER

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SECRETARY OF STATE

JOHN R. ASHCROFT

Administrative Rules Division

James C. Kirkpatrick State Information Center

600 W. Main

Jefferson City, MO 65101

(573) 751-4015

EDITOR-IN-CHIEF

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•
MANAGING EDITOR

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•
EDITOR

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•
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•
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•
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•
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MISSOURI REGISTER



October 1, 2020

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system—

Title		Division	Chapter	Rule
3 Department	CSR <i>Code of State Regulations</i>	10- Agency Division	4 General area regulated	.115 Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation, for example, 3 CSR 10-4.115 NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is sos.mo.gov/adrules/csr/csr

The *Register* address is sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the Missouri and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) business days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

will be an increase in the need for substitute teachers as a result of the pandemic. In addition, the number of candidates preparing to be teachers has been declining steadily over the past six (6) years, making it more difficult to fill needed positions and increasing demand for long-term substitute teachers. As a result, the board finds a compelling governmental interest, which requires this emergency action. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The board believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 19, 2020, becomes effective September 2, 2020, and expires February 28, 2021.

(1) An applicant for a substitute Missouri certificate of license to teach who has successfully completed sixty (60) semester hours or more of college level credit from a regionally-accredited academic degree granting institution recognized by the Department of Elementary and Secondary Education (department) or has successfully completed a minimum of twenty (20) clock hours of department-approved substitute teacher training that includes professionalism, honoring diversity, engaging students, foundational classroom management techniques, basic instructional strategies, supporting students with special needs, and working with at-risk youth may be granted a substitute Missouri certificate of license to teach pursuant to the rules promulgated by the State Board of Education (board).

AUTHORITY: sections 161.092, 168.011, 168.071, and 168.081, RSMo 2016, and section 168.021, RSMo Supp. 2019. This rule previously filed as 5 CSR 80-800.290. Emergency rule filed July 30, 1999, effective Aug. 9, 1999, expired Jan. 26, 2000. Original rule filed July 30, 1999, effective Feb. 29, 2000. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 19, 2020, effective Sept. 2, 2020, expires Feb. 28, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

EMERGENCY AMENDMENT

5 CSR 20-400.220 Application for Substitute Certificate of License to Teach. The State Board of Education is amending section (1).

PURPOSE: *This emergency amendment adds language that allows department-approved training as an alternative route to gain a substitute certificate of license to teach. This will expedite a strategy for addressing shortages of substitute teachers.*

EMERGENCY STATEMENT: *This emergency amendment is necessary to allow individuals to complete department-approved training as an alternative route to gain a substitute certificate of license to teach. There is a need to expand the pool of available substitute teachers. Successful completion of sixty (60) semester hours or more of college level credit is currently required to earn a substitute certificate of license to teach. For some individuals, this requirement is both time and cost prohibitive. Prior to the current COVID-19 circumstances, schools had already been experiencing and reporting shortages of substitute teachers. Because this is a large-scale health crisis with multiple phases of infection impacting not only the health of teachers but also their families, it is reasonable to assume there*

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 30—Division of Financial and Administrative Services Chapter 660—School Finance

EMERGENCY RULE

5 CSR 30-660.090 Charter School Local Education Agency (LEA) Attendance Hour Reporting

PURPOSE: *This emergency rule establishes policies and standards for charter school local education agencies (LEAs) for providing foundation formula payment in accordance with Chapter 160, RSMo, to meet the health and safety needs of students and faculty if social distancing is necessary due to COVID-19 during the 2020-2021 school year.*

EMERGENCY STATEMENT: This emergency rule is necessary due to the novel COVID-19 pandemic and charter schools' need for flexibility in their attendance claiming for purposes of state aid payments. The State Board of Education (board) voted on August 18, 2020, to grant the ability for charter school LEAs to claim weighted average daily attendance in an alternative method otherwise not outlined in statute. This applies only for the 2020-2021 school year. Because COVID-19 has caused a disruption in the provision of educational services during the 2020-2021 school year, this emergency rule is necessary to protect the health, safety, and welfare of those students by ensuring that there will be regulations in place that provide charter school LEAs with notice of the criteria set forth by the board on August 18, 2020. As a result, the board finds a compelling governmental interest, which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The board believes this emergency rule is fair to all interested persons and parties under the circumstances. A proposed rule covering this same material is published in this issue of the Missouri Register. This emergency rule was filed August 19, 2020, becomes effective September 2, 2020, and expires February 28, 2021.

(1) The following definitions apply to this rule:

(A) Average Daily Attendance (ADA): the quotient or the sum of the quotients obtained by dividing the total number of hours attended in a term by pupils between the ages of five (5) and twenty-one (21) by the actual number of hours school was in session in that term.

(B) First Preceding Year: The school year prior to the year attendance was impacted by COVID-19, specifically the 2019-2020 school year for the purpose of this rule.

(C) Weighted Average Daily Attendance (WADA): The average daily attendance plus the product of twenty-five hundredths (0.25) multiplied by the free and reduced price lunch pupil count that exceeds the free and reduced price lunch threshold, plus the product of seventy-five (0.75) hundredths multiplied by the number of special education pupil count that exceeds the special education threshold, plus the product of six-tenths (0.6) multiplied by the number of limited English proficiency pupil count that exceeds the limited English proficiency threshold.

(2) For the purposes of state aid calculation outlined in section 160.415, RSMo, during the 2020-2021 school year, WADA for charter school LEAs shall be defined as the higher of the current year's WADA or the first preceding year's WADA. This provision is applicable for the 2020-2021 school year.

(3) For the purposes of other state aid calculations outlined in sections 163.043 and 163.087, RSMo, that rely on the 2020-2021 school year ADA or WADA, charter school LEAs may rely on the higher of the 2019-2020 or 2020-2021 applicable ADA or WADA. This provision is applicable for the 2021-2022 school year.

AUTHORITY: sections 161.092, 163.031, 163.043, and 163.087, RSMo 2016, and section 160.415, RSMo Supp. 2019. Emergency rule filed Aug. 19, 2020, effective Sept. 2, 2020, expires Feb. 28, 2021. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency rule is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency rule is effective.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 100—Notary Commissions

EMERGENCY RULE

15 CSR 30-100.005 Notary Complaint Process

PURPOSE: This emergency rule lays out the process for filing a complaint against a notary.

EMERGENCY STATEMENT: The secretary of state determined this emergency rule is necessary to preserve a compelling governmental interest. This emergency rule is necessary to address changes made by the legislatures, which took effect on August 28, 2020, to electronic notarization. The secretary of state needs this emergency rule since the Executive Order issued by the governor expired on August 28, 2020. The secretary of state finds there is a compelling governmental interest, which requires this emergency action since due to the pandemic of COVID-19, in person notarization is unable to be performed for wills, powers of attorney, and durable power of attorney in health care decisions. A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The secretary of state believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(1) A complaint may be filed by an individual or by the Notary Commission Unit. All complaints must be—

(A) In writing and signed;

(B) Submitted to the Notary Commission Unit either by mail to commissions@sos.mo.gov or PO Box 784, Jefferson City, MO 65101;

(C) At a minimum, the complaint must contain the following information:

1. Circumstances surrounding the situation;

2. The notary's name, commission number (if known), and the county in which the alleged wrong doing allegedly took place;

(D) The complaint should include, if known, the names and contact information of any witnesses or parties, including addresses and telephone number, all documents related to the transaction, including copies of the notarized document in question, and any police report filed or investigative information if referred by another agency, and any contact information for legal representative;

(E) Upon receipt of the complaint the Notary Commission Unit will review the matter and determine if further action is required;

(F) If further action is required, the Notary Commission Unit will notify the notary and may request additional information from the notary;

(G) A notary has thirty (30) days from receipt of such notification from the Notary Commission Unit in which to respond. Failure to respond shall constitute grounds for suspension of the notary commission until compliance with the request is met;

(H) The Notary Commission Unit will review the response from the notary, and if necessary, make follow-up request for information;

(I) Upon completion of their review, the Notary Commission Unit will forward the matter to the Director of Business Services or their designee who will review the matter to determine appropriate action;

(J) Upon a decision by the Director of Business Services or their designee, the complainant and notary shall be notified of the decision made; and

(K) If the action taken by the Director of Business Services or their designee is to suspend or revoke the notary's commission, the notary may appeal such decision as outlined under the rules.

AUTHORITY: section 486.815.1, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 100—[Secretary of State—]
Notary Commissions

EMERGENCY AMENDMENT

15 CSR 30-100.010 Approval, Revocation and[/or] Suspension of Notary Commission. The secretary is amending the chapter to remove the duplicative term, revising the title, and adding a subsection (3).

PURPOSE: This emergency amendment updates the chapter by removing the duplicative term “Secretary of State,” adds “Approval” to the title, and adds a new section.

EMERGENCY STATEMENT: The secretary of state determined this emergency amendment is necessary to preserve a compelling governmental interest. This emergency amendment is necessary to address changes made by the legislatures, which took effect on August 28, 2020, to electronic notarization. The secretary of state needs this emergency amendment since the Executive Order issued by the governor expired on August 28, 2020. The secretary of state finds there is a compelling governmental interest, which requires this emergency action since due to the pandemic of COVID-19, in person notarization is unable to be performed for wills, powers of attorney, and durable power of attorney in health care decisions. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The secretary of state believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(3) An individual who has been convicted of a felony involving dishonesty or moral turpitude, committed in the last five (5) years, will be denied approval to be a commission.

AUTHORITY: sections [486.385.2, RSMo 2016] **486.605 and 486.815.1, RSMo Supp. 2020.** Original rule filed Dec. 16, 1985, effective April 11, 1986. Amended: Filed April 17, 2017, effective Oct. 30, 2017. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 100—[Secretary of State—]
Notary Commissions

EMERGENCY AMENDMENT

15 CSR 30-100.015 Request for Hearing on Suspension or an Appeal on a Denial of an Application. The secretary is amending the rule to add denial of an application to the reasons one can request a hearing.

PURPOSE: This emergency amendment adds a section (5) to add denial of an application to appeals.

EMERGENCY STATEMENT: The secretary of state determined that this emergency amendment is necessary to preserve a compelling governmental interest. This emergency amendment is necessary to address changes made by the legislatures, which took effect on August 28, 2020, to electronic notarization. The secretary of state needs this emergency amendment since the Executive Order issued by the governor expired on August 28, 2020. The secretary of state finds there is a compelling governmental interest, which requires this emergency action since due to the pandemic of COVID-19, in person notarization is unable to be performed for wills, powers of attorney, and durable power of attorney in health care decisions. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The secretary of state believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(5) An applicant who has been denied a notary commission may appeal the denial to the Director of Business Services or his or her designee. This appeal does not include a right to a hearing.

AUTHORITY: section [486.385.2, RSMo 2016] **486.815.1, RSMo Supp. 2020.** Original rule filed April 17, 2017, effective Oct. 2017. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization

EMERGENCY RULE

15 CSR 30-110.030 Remote Online Notarization (RON) Approval

PURPOSE: This emergency rule provides the process that vendors must go through to have their software approved for use by electronic notaries in Missouri.

EMERGENCY STATEMENT: The secretary of state determined this emergency rule is necessary to preserve a compelling governmental

interest. This emergency rule is necessary to address changes made by the legislatures, which took effect on August 28, 2020, to electronic notarization. The secretary of state needs this emergency rule since the Executive Order issued by the governor expired on August 28, 2020. The secretary of state finds there is a compelling governmental interest, which requires this emergency action since due to the pandemic of COVID-19, in person notarization is unable to be performed for wills, powers of attorney, and durable power of attorney in health care decisions. A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The secretary of state believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(1) Vendors wishing to have their software approved for use by electronic notaries in Missouri make an application to do so to the Commission Unit. The information on the application must include:

- (A) Name of the vendor's company;
- (B) Name of the software to be used;
- (C) Name of contact to perform demonstration of software;
- (D) Contact information for customer inquiries; and
- (E) List of other states the software is approved in.

(2) Upon filing of an application, the Commission Unit will review the software for compliance.

(3) Each software requesting approval must undergo a live demonstration by the Commission Unit.

(4) Once the Commission Unit has determined the software meets compliance, a certificate of acceptability will be issued to the vendor.

(5) A list of all approved software will be published on the Missouri Secretary of State's (SOS) website.

AUTHORITY: section 486.II10, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization**

EMERGENCY RULE

15 CSR 30-110.040 Remote Online Notarization (RON) Criteria

PURPOSE: This emergency rule states the criteria that remote online notary (RON) must meet for use by electronic notaries in Missouri.

EMERGENCY STATEMENT: The secretary of state determined that this emergency rule is necessary to preserve a compelling governmental interest. This emergency rule is necessary to address changes made by the legislatures, which took effect on August 28, 2020, to electronic notarization. The secretary of state needs this emergency

rule since the Executive Order issued by the governor expired on August 28, 2020. The secretary of state finds there is a compelling governmental interest, which requires this emergency action since due to the pandemic of COVID-19, in person notarization is unable to be performed for wills, powers of attorney, and durable power of attorney in health care decisions. A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The secretary of state believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(1) Remote online notary (RON) must meet the following RON Credential Analysis and Authentication to be approved for use in Missouri:

(A) The software must allow for at least two (2) types of the following:

1. Credential Analysis of Government Issued Identification;
2. Dynamic Knowledge-Based Authentication; and
3. Biometrics;

(B) The software must provide for a live session using audio-video communication integrated with electronic document processing as described in section 110.060, RSMo;

(C) The software must be able to capture the necessary details for the notary to keep an accurate record of the transaction as described in section 110.070, RSMo; and

(D) The software must provide an audit trail for each session as described in section 110.080, RSMo.

AUTHORITY: section 486.II10, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization**

EMERGENCY RULE

15 CSR 30-110.050 Remote Online Notarization (RON) Credentials

PURPOSE: This emergency rule sets out the credentials that remote online notary (RON) must meet for use by electronic notaries in Missouri.

EMERGENCY STATEMENT: The secretary of state determined this emergency rule is necessary to preserve a compelling governmental interest. This emergency rule is necessary to address changes made by the legislatures, which took effect on August 28, 2020, to electronic notarization. The secretary of state needs this emergency rule since the Executive Order issued by the governor expired on August 28, 2020. The secretary of state finds there is a compelling governmental interest, which requires this emergency action since due to the pandemic of COVID-19, in person notarization is unable to be performed for wills, powers of attorney, and durable power of attorney in health

care decisions. A proposed rule, which covers the same material, is published in this issue of the *Missouri Register*. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The secretary of state believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(1) Remote Online Notarization (RON) providers must use automated software processes to aid the notary in verifying each principal's identity.

(2) The credential must pass an authenticity test, consistent with sound commercial practices that—

(A) Uses appropriate technology to confirm the integrity of visual, physical, or cryptographic security features;

(B) Uses appropriate technology to confirm that the credential is not fraudulent or inappropriately modified;

(C) Uses information held or published by the issuing source or authenticity source(s), as available, to confirm the validity of credential details; and

(D) Provides the output of the authenticity to the notary.

(3) The credentials analysis procedure must enable the notary to visually compare both of the following for consistency:

(A) The information and photo on the presented credential image; and

(B) The principal as viewed by the notary in real time through the audio/video system.

(4) Credentials must be a government issued document meeting the requirements of the state that issued the document, may be imaged, photographed, and video recorded under state and federal law, and can be subject to credential analysis.

(5) The credential image capture procedure must confirm that—

(A) The principal is in possession of that credential at the time of the notarial act;

(B) That the credential image submitted for analysis has not been manipulated; and

(C) The credential image matches the credential in the principal's possession.

(6) The following general principles should be considered in the context of image resolution:

(A) The captured image resolution should be sufficient for the service provider to perform credential analysis per the requirements above;

(B) The image resolution should be sufficient to enable visual inspection by the notary, including legible text and clarity of photographs, barcodes, and other credential features;

(C) All images necessary to perform visual inspection and credential analysis must be captured - e.g. U.S. Passport requires identity page; state driver's license requires front and back.

(7) A Dynamic Knowledge-Based Authentication (KBA) procedure must meet the following requirements:

(A) Each principal must answer questions and achieve a passing score from:

1. At least five (5) questions drawn from public or private data sources;

2. A minimum of five (5) possible answer choices per question;

3. At least four (4) of the five (5) questions answered correctly to pass (a passing score of eighty percent (80%)); and

4. All five (5) questions answered within two (2) minutes;

(B) Each principal must be provided a reasonable number of attempts per signing session:

1. If a principal fails their first quiz, they may attempt up to two (2) additional quizzes within forty-eight (48) hours from the first failure; and

2. During any quiz retake, a minimum of forty percent (40%), or two (2), of the prior questions must be replaced;

(C) The RON system provider must not include the KBA procedure as part of the video recording or as part of the system provided person-to-person video interaction between the notary and the signatory; and must not store the data or information presented in the KBA questions and answers. However, the output of the KBA assessment procedure must be provided to the notary; and

(D) Biometric sensing technology include, but are not limited to, facial, voice, and fingerprint recognition.

AUTHORITY: section 486.1110, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization

EMERGENCY RULE

15 CSR 30-110.060 Audio and Video Quality

PURPOSE: This emergency rule sets out the requirements for audio/video quality used by electronic notaries in Missouri.

EMERGENCY STATEMENT: The secretary of state determined this emergency rule is necessary to preserve a compelling governmental interest. This emergency rule is necessary to address changes made by the legislatures, which took effect on August 28, 2020, to electronic notarization. The secretary of state needs this emergency rule since the Executive Order issued by the governor expired on August 28, 2020. The secretary of state finds there is a compelling governmental interest, which requires this emergency action since due to the pandemic of COVID-19, in person notarization is unable to be performed for wills, powers of attorney, and durable power of attorney in health care decisions. A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The secretary of state believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(1) A reliable Remote Online Notarization (RON) operating model should consist of continuous, synchronous audio and video feeds with good clarity such that all participants can be clearly seen and understood at all times during the notarial act.

(2) Inherent in online audio/video technology is the presence of temporary surges or spikes in quantitative measures like bitrate and/or frequency of communications and no simple technical limits are practical or prudent. Rather, a sounder approach to ensuring reliable real-time communications is to rely on the judgment of the notary to

determine the adequacy of the communications and provide direction to terminate the session if those conditions are not met.

(3) The audio/video recording must include the person-to-person interaction required as part of the Notarial Act as defined by the state, must be logically associated to the electronic Audit Trail, and must be capable of being viewed and heard using broadly available audio/video players.

(4) The video recording of the transaction documents executed in the RON process is not required as part of these standards.

AUTHORITY: section 486.1110, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization

EMERGENCY RULE

15 CSR 30-110.070 Storage and Retention of Notarial Records

PURPOSE: This emergency rule sets out the requirements for storage and retention of notarial records used by electronic notaries in Missouri.

EMERGENCY STATEMENT: The secretary of state determined that this emergency rule is necessary to preserve a compelling governmental interest. This emergency rule is necessary to address changes made by the legislatures, which took effect on August 28, 2020, to electronic notarization. The secretary of state needs this emergency rule since the Executive Order issued by the governor expired on August 28, 2020. The secretary of state finds there is a compelling governmental interest, which requires this emergency action since due to the pandemic of COVID-19, in person notarization is unable to be performed for wills, powers of attorney, and durable power of attorney in health care decisions. A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The secretary of state believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(1) Remote Online Notarization (RON) systems.

(A) RON must—

1. Facilitate the process of collecting the required notarial records;
2. Provide a method by which a notary can access and/or export the notarial records; and
3. Provide automated backup of the notarial records and audio/video recording to ensure redundancy.

(B) RON technology solution must employ data protection safeguards consistent with generally accepted information security stan-

dards.

(C) Retention of the audio/video recording and notarial records by either the notary or their designated third party, as directed by the notary, must adhere to the laws, directives, rules, and regulations of the state.

(2) A notary must retain an electronic journal and an audio-visual recording created under Chapter 486, RSMo in a computer or other electronic storage device that protects the journal and recording against unauthorized access by password or cryptographic process.

(A) The recording must be created in an industry standard audio-visual file format and must not include images of any electronic record on which the remotely located individual executed an electronic signature.

(B) An electronic journal must be retained for at least ten (10) years after the last notarial act chronicled in the journal. An audio-visual recording must be retained for at least the (10) years after the recording is made.

(C) A notary must take reasonable steps to ensure that a backup of the electronic journal and audio-visual recording exists and is secure from unauthorized use.

AUTHORITY: sections 486.1110 and 486.1195, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization

EMERGENCY RULE

15 CSR 30-110.080 Audit Trail

PURPOSE: This emergency rule states the requirements for the remote online notarization (RON) audit trail for use by electronic notaries in Missouri.

EMERGENCY STATEMENT: The secretary of state determined that this emergency rule is necessary to preserve a compelling governmental interest. This emergency rule is necessary to address changes made by the legislatures, which took effect on August 28, 2020, to electronic notarization. The secretary of state needs this emergency rule since the Executive Order issued by the governor expired on August 28, 2020. The secretary of state finds there is a compelling governmental interest, which requires this emergency action since due to the pandemic of COVID-19, in person notarization is unable to be performed for wills, powers of attorney, and durable power of attorney in health care decisions. A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The secretary of state believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(1) Significant actions completed as part of a Remote Online Notarization (RON) signing session should be recorded in an audit trail. Each entry in this audit trail should clearly indicate the action performed (e.g. addition of an electronic signature), the date/time of its performance (e.g., Coordinated Universal Time, 2018-08-21 01:14:22 UTC), the name of the party performing the action (e.g. John Doe), and the IP address of the party performing the action.

(2) Each document completed as part of a RON should be electronically signed and rendered Tamper-Evident.

AUTHORITY: section 486.1110, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 61—Licensing Rules for Family [Day] Child Care Homes

EMERGENCY AMENDMENT

19 CSR 30-61.055 [License Renewal] Annual Requirements. The department is amending the rule title, deleting sections (1) through (4), and adding new sections (1) and (2).

PURPOSE: This emergency amendment replaces the license renewal process with a similar annual compliance process. The amendment adds the new Annual Declaration for Licensed Facilities form.

EMERGENCY STATEMENT: The Missouri legislature passed HB 1414, 100th General Assembly, Second Regular Session (2020). One of the statutory changes included in this legislation was removal of the limitation in section 210.211.1, RSMo, that the Department of Health and Senior Services may only issue a child care license for a term not exceeding two (2) years. With this limitation removed, the department can transition to non-expiring child care licenses and an annual compliance monitoring process that will replace the current licensing renewal process. This new process will be similar to the license renewal process, with providers submitting documentation to show they meet the basic health and safety requirements for a child care provider and affirming their desire to continue on as a licensed provider in compliance with child care licensing rules and statutes. The annual compliance process will require a provider to submit less documentation than the renewal process did; however, this documentation must now be submitted annually rather than every two (2) years. As of August 28, 2020, the department will no longer accept applications to renew child care licenses as it will be transitioning all current licenses to a non-expiring status. However, to ensure that basic requirements for licensees are still met and that providers who wish to continue operating child care facilities agree to do so in compliance with licensing rules and statutes, it is imperative that the department have an annual compliance process in place immediately. This will ensure that providers who would have received a renewal inspection during the September 2020 to March 2021 time period will still be monitored and that those providers whose license would have expired during that time are able to be smoothly transitioned to a

non-expiring licenses without a decrease in monitoring of safety standards. As a result, this emergency amendment is necessary to protect the safety and health of children in child care settings as the department transitions to non-expiring licenses as now allowed under 210.211.1, RSMo. A proposed amendment, which covers the same material is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

I(1) An application for license renewal shall be filed at least sixty (60) days prior to expiration of the license. In addition, the following information is required:

(A) Evidence of compliance with a fire and safety inspection as conducted by the State Fire Marshal or his/her designee;

(B) Evidence of compliance with local, state, or both, sanitation requirements;

(C) Medical examination reports on file at the home as required by 19 CSR 30-61.125 Medical Examination Reports;

(D) A health report on file at the home for each school-age child in care as required by 19 CSR 30-61.125 Medical Examination Reports;

(E) Enrollment information on file at the home for each child in care as required by 19 CSR 30-61.135 Admission Policies and Procedures;

(F) Identifying information on file at the home regarding each child in care who is related to the provider and not living in the home as required by 19 CSR 30-61.135 Admission Policies and Procedures;

(G) A current list of available equipment;

(H) Materials and information which have changed since the previous licensing period;

(I) Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing if a family day care home is owned by a legal entity;

(J) A completed Safety Plan form if a sex offender resides within 1,000 feet of the facility. See Safety Plan form, promulgated as of 2018 and incorporated by reference in this rule. As published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php>. This rule does not incorporate any subsequent amendments or additions. If the provider has an existing safety plan a new form is not required. This rule does not incorporate any subsequent amendments or additions; and

(K) A listing of household members.]

(1) The provider shall submit the following to the department on an annual basis, at least thirty (30) calendar days prior to the anniversary date as printed on the license:

(A) An Annual Declaration for Licensed Facility form, promulgated as of August 2020 and incorporated by reference in this

rule. As published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/child-care/forms.php> indicating the licensee's intent to continue operating a licensed family child care home and agreement to comply with all statutes and department licensing rules;

- (B) A current list of available equipment;
- (C) A listing of household members and assistant(s); and
- (D) A completed safety plan if a sex offender resides within 1,000 feet of the facility. If the provider has an existing safety plan, a new plan is not required.

[(2) The child care provider shall conduct a Family Care Safety Registry check for all child care staff members within sixty (60) days prior to the expiration of the license.]

(2) The provider shall have the following on file and available for review:

- (A) Evidence of compliance with a fire and safety inspection as conducted by the State Fire Marshal or his/her designee;
- (B) Evidence of compliance with local, state, or both, sanitation requirements;
- (C) The child care provider shall conduct a Family Care Safety Registry check for all child care staff members within thirty (30) days prior to the anniversary date as printed on the license; and
- (D) Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing, if a family child care home is owned by a legal entity.

[(3) Child care staff members shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to renewal of the license.]

(4) Upon determination of the applicant's continued compliance with state statutes and licensing rules for family day care homes, an official license shall be granted for up to two (2) years.]

AUTHORITY: section 210.221.1(3), [RSMo 2016, and section 210.1080,] RSMo Supp. [2018] 2020. This rule previously filed as 13 CSR 40-61.031, 13 CSR 40-61.055, and 19 CSR 40-61.055. Original rule filed March 29, 1991, effective Oct. 31, 1991. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will cost private entities four thousand one hundred fifty-one dollars and four cents (\$4,151.04) in the time the emergency is effective.

**FISCAL NOTE
PRIVATE COST**

- I.** **Department Title:** Title 19 – Department of Health and Senior Services
Division Title: Division 30 – Division of Regulation and Licensure
Chapter Title: Chapter 61 – Licensing Rules for Family Day Care Homes

Rule Number and Name:	19 CSR 30-61.055 Annual Requirements
Type of Rulemaking:	Emergency Amendment

II. SUMMARY OF FISCAL IMPACT – EMERGENCY RULE PERIOD

Estimated Cost to Complete Annual Requirements per Provider	Estimated Number of Providers Required to Complete Annual Requirements	Total Estimated Cost of Annual Requirements Across Missouri
\$11.28	368	\$4,151.04

III. WORKSHEET

ESTIMATED TOTAL COST TO COMPLETE ANNUAL REQUIREMENTS	
Total Cost to Complete Annual Requirements	\$11.28
Total Number of Providers Required to Complete Annual Requirements	368
Total Private Cost	\$4,151.04

Methodology: Total Cost to Complete Annual Requirements * Total Number of Providers Required to Complete Annual Requirements = Total Private Cost

ESTIMATED COST TO COMPLETE ANNUAL REQUIREMENTS FOR FACILITIES				
Document	Time Estimate (Hours)	Average Hourly Wage of Missouri	Unemployment, Social Security, Payroll Taxes, and Workers' Comp	Total Cost per Child Care Provider
<i>Annual Declaration for a Licensed Facility form</i>	.25	\$13.05	17%	\$3.81
Current list of available equipment	.16	\$13.05	17%	\$2.44
Listing of household members and assistant(s)	.08	\$13.05	17%	\$1.22
Family Care Safety Registry screening results for all child care staff members	.25	\$13.05	17%	\$3.81
TOTALS	.74			\$11.28

Methodology: (Average Hourly Wage * Time Estimate) * Employer Expenses = Total Cost per Child Care Provider

IV. ASSUMPTIONS

1. Current licensing rules require providers to prepare and submit a current list of available equipment, listing of household members and assistant(s), and Family Care Safety Registry screening results for all child care staff members at renewal. Therefore, the department assumes that this is actually not an additional cost for 172 providers whose licenses were scheduled to expire in this six month time period that this emergency rule will be in effect. For 196 providers who were not scheduled to renew during this six month timeframe but whose license anniversary falls during this time, there is an additional cost to prepare and submit a current list of available equipment, listing of household members and assistant(s), and Family Care Safety Registry screening results for all child care staff members. Because the Annual Declaration for Licensed Facility form is a new requirement, this is an additional cost for all 368 providers. For the sake of simplicity and transparency, the overall cost for this rule was calculated using all 368 providers who will submit documentation during the emergency period.
2. The average wage comes from the 2018 average wage for Child Care Workers in Missouri available from the Missouri Department of Economic Development (\$11.29) plus estimated inflation. No additions were made to this number for items such as 401k contributions or other fringe benefits because those are not an industry standard for child care workers.
3. Time estimates for the documents that must be completed to meet the annual requirements are estimated by the Department of Health and Senior Services for the estimated average amount of time necessary to review, compile and/or update, and submit the necessary documents.

The time estimates seen here are based on the following assumptions:

<i>Annual Declaration for a Licensed Facility</i> form	.25 hours (15 minutes) was allotted for this based on the fact that this is a one-page fillable form requesting identifying information. The provider is required to review, sign, date, and return the form to the department.
Current list of available equipment	.16 hours (10 minutes) was allotted for this because an equipment list is required for initial licensure. Child care providers should routinely update this list and keep it current for insurance and departmental purposes. The department currently requires a list of available equipment at renewal (once every two years).
Listing of household members and assistant(s)	.08 hours (5 minutes) was allotted for this because a listing of household member and assistant(s) is required for initial licensure. Child care providers are currently required to notify the department of any changes in household members and assistant(s). The department currently requires a list of household members and assistant(s) at renewal (once every two years).

Family Care Safety Registry screening results for all child care staff members	.25 hours (15 minutes) was allotted for this based on discussions with Family Care Safety Registry (FCSR) staff about how long it typically takes for a family child care provider when they call to request background screenings.
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4. The time estimates only include one staff member because typically only one staff person (e.g. owner, provider, board chairperson, LLC member or designee) completes documentation that is submitted to the department.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 62—Licensing Rules for Group Child Care Homes and Child Care Centers

EMERGENCY AMENDMENT

19 CSR 30-62.052 [License Renewal] Annual Requirements. The department is amending the rule title, deleting sections (1) through (5), and adding new sections (1) and (2).

PURPOSE: This emergency amendment replaces the license renewal process with a similar annual compliance process. The amendment adds the new Annual Declaration for Licensed Facilities form.

EMERGENCY STATEMENT: The Missouri legislature passed HB 1414, 100th General Assembly, Second Regular Session (2020). One of the statutory changes included in this legislation was removal of the limitation in section 210.211.1, RSMo, that the Department of Health and Senior Services may only issue a child care license for a term not exceeding two (2) years. With this limitation removed, the department can transition to non-expiring child care licenses and an annual compliance monitoring process that will replace the current licensing renewal process. This new process will be similar to the license renewal process, with providers submitting documentation to show they meet the basic health and safety requirements for a child care provider and affirming their desire to continue on as a licensed provider in compliance with child care licensing rules and statutes. The annual compliance process will require a provider to submit less documentation than the renewal process did; however, this documentation must now be submitted annually rather than every two (2) years. As of August 28, 2020, the department will no longer accept applications to renew child care licenses as it will be transitioning all current licenses to a non-expiring status. However, to ensure that basic requirements for licensees are still met and that providers who wish to continue operating child care facilities agree to do so in compliance with licensing rules and statutes, it is imperative that the department have an annual compliance process in place immediately. This will ensure that providers who would have received a renewal inspection during the September 2020 to March 2021 time period will still be monitored and that those providers whose license would have expired during that time are able to be smoothly transitioned to a non-expiring licenses without a decrease in monitoring of safety standards. As a result, this emergency amendment is necessary to protect the safety and health of children in child care settings as the department transitions to non-expiring licenses as now allowed under 210.211.1, RSMo. A proposed amendment, which covers the same material is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

[(1) An application for license renewal shall be filed at least sixty (60) days prior to expiration of the license. In addition,

the following information is required:

(A) Evidence of compliance with a fire and safety inspection as conducted by the State Fire Marshal or his/her designee;

(B) Evidence of compliance with local or state, or both, sanitation requirements;

(C) Evidence of compliance with local building and zoning requirements, if applicable;

(D) Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing if a group child care home or child care center is owned by a legal entity;

(E) Medical examination reports on file at the facility as required by 19 CSR 30-62.122 Medical Examination Reports;

(F) A health report on file at the facility for each school-age child in care as required by 19 CSR 30-62.122 Medical Examination Reports;

(G) Enrollment information on file at the facility for each child in care as required by 19 CSR 30-62.132 Admission Policies and Procedures;

[(H) Identifying information on file at the facility regarding children who are related to the center owner(s) or group day care home provider as required by 19 CSR 30-62.132 Admission Policies and Procedures;]

(I) A current list of available equipment;

(J) Current staff sheet; and

(K) Materials and information which have changed since the previous licensing period.]

(1) The provider shall submit the following to the department on an annual basis, at least thirty (30) calendar days prior to the anniversary date as printed on the license.

(A) An Annual Declaration for Licensed Facility form, promulgated as of August 2020 and incorporated by reference in this rule. As published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/child-care/forms.php> indicating the licensee's intent to continue operating a licensed group child care home or child care center and agreement to comply with all statutes and department licensing rules;

(B) Evidence of compliance with local building and zoning requirements, if applicable;

(C) A current list of available equipment; and

(D) A current staff sheet.

[(2) The child care provider shall conduct a Family Care Safety Registry check for all child care staff members no more than sixty (60) days prior to the expiration of the license.]

(2) The provider shall have the following on file and available for review:

(A) Evidence of compliance with a fire and safety inspection as conducted by the State Fire Marshal or his/her designee;

(B) Evidence of compliance with local, state, or both, sanitation requirements;

(C) The child care provider shall conduct a Family Care Safety Registry check for all child care staff members within thirty (30) days prior to the anniversary date as printed on the license; and

(D) Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing, if a group child care home or child care center is owned by a legal entity.

[(3) The facility owner(s), board president, or chairperson, and the center director or group day care home provider,

shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to renewal of the license.

(4) Child care staff members shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to renewal of the license.

(5) Upon determination of the applicant's continued compliance with state statutes and licensing rules for group day care homes and day care centers, an official license shall be granted for up to two (2) years.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, [RSMo 2016, and section 210.1080,] RSMo Supp. [2018] 2020. This rule previously filed as 13 CSR 40-62.031, 13 CSR 40-62.052, and 19 CSR 40-62.052. Original rule filed March 29, 1991, effective Oct. 31, 1991. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will cost private entities nineteen thousand one hundred ninety-one dollars and forty-eight cents (\$19,191.48) in the time the emergency is effective.

**FISCAL NOTE
PRIVATE COST**

- I.** **Department Title:** Title 19 – Department of Health and Senior Services
Division Title: Division 30 – Division of Regulation and Licensure
Chapter Title: Chapter 62 – Licensing Rules for Group Child Care Homes and Day Care Centers

Rule Number and Name:	19 CSR 30-62.052 Annual Requirements
Type of Rulemaking:	Emergency Amendment

II. SUMMARY OF FISCAL IMPACT – EMERGENCY RULE PERIOD

Estimated Cost to Complete Annual Requirements per Provider	Estimated Number of Providers Required to Complete Annual Requirements	Total Estimated Cost of Annual Requirements Across Missouri
\$22.11	868	\$19,191.48

III. WORKSHEET

ESTIMATED TOTAL COST TO COMPLETE ANNUAL REQUIREMENTS	
Total Cost to Complete Annual Requirements	\$22.11
Total Number of Providers Required to Complete Annual Requirements	868
Total Private Cost	\$19,191.48

Methodology: Total Cost to Complete Annual Requirements * Total Number of Providers Required to Complete Annual Requirements = Total Private Cost

ESTIMATED COST TO COMPLETE ANNUAL REQUIREMENTS FOR FACILITIES				
Document	Time Estimate (Hours)	Average Hourly Wage of Missouri	Unemployment, Social Security, Payroll Taxes, and Workers' Comp	Total Cost per Child Care Provider
<i>Annual Declaration for a Licensed Facility form</i>	.25	\$13.05	17%	\$3.80
Current list of available equipment	.75	\$13.05	17%	\$11.45
Current staff sheet	.15	\$13.05	17%	\$2.29
Family Care Safety Registry screening results for all child care staff members	.30	\$13.05	17%	\$4.57
TOTALS	1.45			\$22.11

Methodology: (Average Hourly Wage * Time Estimate) * Employer Expenses = Total Cost per Child Care Provider

IV. ASSUMPTIONS

1. Current licensing rules require providers to prepare and submit a current list of available equipment, listing of household members and assistant(s), and Family Care Safety Registry screening results for all child care staff members at renewal. Therefore, the department assumes that this is not an additional cost for 429 providers whose licenses were scheduled to expire in this six month time period that this emergency rule will be in effect. For 439 providers who were not scheduled to renew during this six month timeframe, there is an additional cost to prepare and submit a current list of available equipment, listing of household members and assistant(s), and Family Care Safety Registry screening results for all child care staff members. Because the Annual Declaration for Licensed Facility form is a new requirement, this is an additional cost for all 868 providers. For the sake of simplicity and transparency, the overall cost for this rule was calculated using all 868 providers who will submit documentation during the emergency period.
2. The average wage comes from the 2018 average wage for Child Care Workers in Missouri available from the Missouri Department of Economic Development (\$11.29) plus estimated inflation. No additions were made to this number for items such as 401k contributions or other fringe benefits because those are not an industry standard for child care workers.
3. Time estimates for the documents that must be completed to meet the annual requirements are estimated by the Department of Health and Senior Services for the minimum amount of time necessary to review, compile and/or update, and submit the necessary documents.

The time estimates seen here are based on the following assumptions:

<i>Annual Declaration for a Licensed Facility</i> form	0.25 hours (15 minutes) was allotted for this based on the fact that this is a one-page fillable form requesting identifying information. The provider is required to review, sign, date, and return the form to the department.
Current list of available equipment	.75 hours (45 minutes) was allotted for this because an equipment list is required for initial licensure. Child care providers should routinely update this list and keep it current for insurance and departmental purposes. The department currently requires a list of available equipment at renewal (once every two years).
Current staff sheet	.15 hours (15 minutes) was allotted for this because a staff sheet is required for initial licensure. The department assumes that child care providers will update this staff sheet periodically as staff change. The department currently requires a staff sheet at renewal (once every two years).
Family Care Safety Registry screening results for all child care	.30 hours (30 minutes) was allotted for this based on discussions with Family Care

staff members	Safety Registry (FCSR) staff about how long it typically takes for a group home or center child care provider to submit an online background screening request.
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4. The time estimates only include one staff member because typically only one staff person (e.g. owner, provider, board chairperson, LLC member or designee) completes documentation that is submitted to the department.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 63—Child Care Comprehensive Background Screening

EMERGENCY AMENDMENT

19 CSR 30-63.010 Definitions. The department is deleting section (1), amending section (2), and adding new sections (1) and (6).

PURPOSE: This amendment revises and adds definitions to comply with section 210.1080.1 RSMo; specifically, this amendment revises the definitions for child care provider and child care staff member and adds a definition for qualifying result.

EMERGENCY STATEMENT: The Child Care and Development Block Grant (CCDBG) Act of 2014 Section 658H, which passed November 19, 2014, requires states to conduct comprehensive criminal background checks. The Missouri legislature enacted section 210.1080, RSMo, as a part of HB 1350, 99th General Assembly, First Regular Session (2018). During that same session the Missouri legislature made significant changes to section 210.025, RSMo, to extend background screening requirements to those unlicensed child care providers that receive subsidy payments through the Department of Social Services. Implementation of these statutes has revealed inconsistencies between how the departments determine eligibility for employment or presence in a child care setting and gaps in compliance with the CCDBG Act. To which authorizes the DHSS to promulgate emergency rules to implement criminal background checks for licensed and license-exempt child care providers as required by the CCDBG Reauthorization. Governor Parson commissioned the Missouri Child Care Working Group on May 4, 2019 and charged the working group with conducting a thorough review of current child care regulations and reporting back with recommendations to ensure safe, quality child care. One of the working group's recommendations was that these inconsistencies and gaps in child care background screening requirements be corrected. In response, the Missouri legislature passed HB 1414, 100th General Assembly, Second Regular Session (2020), revising section 210.1080, RSMo to now include identical requirements to work in a child care setting in Missouri, whether licensed or unlicensed but receiving subsidy payments. This law clarifies who must have a criminal background check, expands the list of offenses which could result in someone being determined to not be eligible for employment or presence in a child care setting, and creates a Child Care Background Screening Review Committee to ensure that appealed results are handled consistently between DHSS and DSS. This law also gives DHSS authority to promulgate emergency rules consistent with its provisions. As a result, this emergency amendment is necessary to protect the safety and health of children in child care settings, and to ensure criminal background checks are completed as required by and in compliance with the CCDBG Reauthorization and section 210.1080, RSMo. A proposed amendment, which covers this same material is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

I(1) Child care provider, group day care home provider, or provider is the person(s) licensed or required to be licensed under section 210.211, RSMo, or person(s) exempted by section 210.1080.9(1), RSMo, in order to establish, conduct, or maintain a child care facility. This person(s) shall have the following rights and responsibilities as determined by the department:

(A) Ultimate responsibility for making and implementing decisions regarding the operation of the facility; and
(B) Ultimate financial control of the operation of the facility.]

(1) **Child care provider** is a person licensed or regulated to provide child care within the state of Missouri, including the member or members, manager or managers, shareholder or shareholders, director or directors, and officer or officers of any entity licensed or regulated to provide child care within the state of Missouri.

(2) **Child care staff member** is/—/ a child care provider; persons employed by the child care provider for compensation, including contract employees or self-employed individuals; individuals or volunteers whose activities involve the care or supervision of children for a child care provider or unsupervised access to children who are cared for or supervised by a child care provider; or individuals residing in a family child care home who are seventeen (17) years of age and older.

(3) **Criminal background check** includes the following:

(A) A Federal Bureau of Investigation fingerprint check;
(B) A search of the National Crime Information Center's National Sex Offender Registry; and

(C) A search of the following registries, repositories, including the Family Care Safety Registry, or databases in Missouri, the state where the child care staff member resides, and each state where such staff member resided during the preceding five (5) years:

1. The state criminal registry or repository, with the use of fingerprints being required in the state where the staff member resides and optional in other states;
2. The state sex offender registry or repository; and
3. The state-based child abuse and neglect registry and database.

(4) **Director** is the director of the Missouri Department of Health and Senior Services.

(5) **Department** is the Missouri Department of Health and Senior Services.

(6) Qualifying result or qualifying criminal background check is a finding that a child care staff member or prospective child care staff member is eligible for employment or presence in a child care setting.

AUTHORITY: section 210.1080, RSMo Supp. [2018] 2020. Emergency rule filed Feb. 15, 2019, effective Feb. 25, 2019, expired Aug. 23, 2019. Original rule filed Feb. 15, 2019, effective Aug. 30, 2019. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure
Chapter 63—Child Care Comprehensive Background Screening

EMERGENCY AMENDMENT

19 CSR 30-63.020 General Requirements. The department is

amending sections (1), (2) and (4).

PURPOSE: This amendment makes changes consistent with recent changes to section 210.1080, RSMo; specifically, changing when a person may begin working in a child care facility to the point in which they have received the qualifying result of a fingerprint based background check and adds an exemption to background screening for those child care providers who are not directly responsible for the oversight or direction of the child care facility and who do not have independent access to the facility.

EMERGENCY STATEMENT: The Child Care and Development Block Grant (CCDBG) Act of 2014 Section 658H, which passed November 19, 2014, requires states to conduct comprehensive criminal background checks. The Missouri legislature enacted section 210.1080, RSMo, as a part of HB 1350, 99th General Assembly, First Regular Session (2018). During that same session the Missouri legislature made significant changes to section 210.025, RSMo, to extend background screening requirements to those unlicensed child care providers that receive subsidy payments through the Department of Social Services. Implementation of these statutes has revealed inconsistencies between how the departments determine eligibility for employment or presence in a child care setting and gaps in compliance with the CCDBG Act. To which authorizes the DHSS to promulgate emergency rules to implement criminal background checks for licensed and license-exempt child care providers as required by the CCDBG Reauthorization. Governor Parson commissioned the Missouri Child Care Working Group on May 4, 2019 and charged the working group with conducting a thorough review of current child care regulations and reporting back with recommendations to ensure safe, quality child care. One of the working group's recommendations was that these inconsistencies and gaps in child care background screening requirements be corrected. In response, the Missouri legislature passed HB 1414, 100th General Assembly, Second Regular Session (2020), revising section 210.1080, RSMo, to now include identical requirements to work in a child care setting in Missouri, whether licensed or unlicensed but receiving subsidy payments. This law clarifies who must have a criminal background check, expands the list of offenses which could result in someone being determined to not be eligible for employment or presence in a child care setting, and creates a Child Care Background Screening Review Committee to ensure that appealed results are handled consistently between DHSS and DSS. This law also gives DHSS authority to promulgate emergency rules consistent with its provisions. As a result, this emergency amendment is necessary to protect the safety and health of children in child care settings, and to ensure criminal background checks are completed as required by and in compliance with the CCDBG Reauthorization and section 210.1080, RSMo. A proposed amendment, which covers the same material is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(1) Prior to the employment or presence of a child care staff member in a family child care home, group child care home, child care center, or license-exempt facility not exempted by section 210.1080./9(1)/13, RSMo, the child care provider shall request the results of a criminal background check for such child care staff member from the department.

(2) A prospective child care staff member may begin work for a child care provider after the [criminal background check has been requested] qualifying result of either a Federal Bureau of Investigation fingerprint check or a search of the Missouri criminal registry or repository with the use of fingerprints has been

received from the department; however, pending completion of the criminal background check, the prospective child care staff member shall be supervised at all times by another child care staff member who received a qualifying result on the criminal background check within the past five (5) years.

(3) Child care providers shall request the results of a criminal background check for all child care staff members, unless the requirements of section (4) of this rule are met by the child care provider and proof is submitted to the department.

(4) A child care provider shall not be required to submit a request for a criminal background check for a child care staff member if—

(A) The staff member received a **qualifying** criminal background check within five (5) years before the latest date on which such a submission may be made and while employed by or seeking employment by another child care provider within Missouri;

(B) The first provider received a qualifying criminal background check result, consistent with this chapter, for the staff member; and

(C) The staff member is employed by a child care provider within Missouri or has been separated from employment from a child care provider within Missouri for a period of not more than one hundred eighty (180) consecutive days./; or

(D) The individual meets the **definition** of child care provider, but is not responsible for the oversight or direction of the child care facility and does not have independent access to the child care facility. Such staff members shall be accompanied by an individual with a qualifying criminal background check in order to be present at the child care facility during child care hours.

(5) Criminal background checks shall be completed for each child care staff member every five (5) years.

AUTHORITY: section 210.1080, RSMo Supp. [2018] 2020. Emergency rule filed Feb. 15, 2019, effective Feb. 25, 2019, expired Aug. 23, 2019. Original rule filed Feb. 15, 2019, effective Aug. 30, 2019. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure Chapter 63—Child Care Comprehensive Background Screening

EMERGENCY AMENDMENT

19 CSR 30-63.040 Background Screening Findings. The department is amending section (1).

PURPOSE: This amendment adds criteria that would cause a child care staff member to be ineligible for employment or presence at a family child care home, group child care home, child care center, or license-exempt facility to comply with section 210.1080.4, RSMo 2020.

EMERGENCY STATEMENT: The Child Care and Development Block Grant (CCDBG) Act of 2014 Section 658H, which passed November 19, 2014, requires states to conduct comprehensive criminal background checks. The Missouri legislature enacted section 210.1080, RSMo, as a part of HB 1350, 99th General Assembly, First Regular

Session (2018). During that same session the Missouri legislature made significant changes to section 210.025, RSMo, to extend background screening requirements to those unlicensed child care providers that receive subsidy payments through the Department of Social Services. Implementation of these statutes has revealed inconsistencies between how the departments determine eligibility for employment or presence in a child care setting and gaps in compliance with the CCCDBG Act. To which authorizes the DHSS to promulgate emergency rules to implement criminal background checks for licensed and license-exempt child care providers as required by the CCDBG Reauthorization. Governor Parson commissioned the Missouri Child Care Working Group on May 4, 2019 and charged the working group with conducting a thorough review of current child care regulations and reporting back with recommendations to ensure safe, quality child care. One of the working group's recommendations was that these inconsistencies and gaps in child care background screening requirements be corrected. In response, the Missouri legislature passed HB 1414, 100th General Assembly, Second Regular Session (2020), revising section 210.1080, RSMo to now include identical requirements to work in a child care setting in Missouri, whether licensed or unlicensed but receiving subsidy payments. This law clarifies who must have a criminal background check, expands the list of offenses which could result in someone being determined to not be eligible for employment or presence in a child care setting, and creates a Child Care Background Screening Review Committee to ensure that appealed results are handled consistently between DHSS and DSS. This law also gives DHSS authority to promulgate emergency rules consistent with its provisions. As a result, this emergency amendment is necessary to protect the safety and health of children in child care settings, and to ensure criminal background checks are completed as required by and in compliance with the CCDBG Reauthorization and section 210.1080, RSMo. A proposed amendment, which covers this same material is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(1) Any child care staff member or prospective child care staff member shall be ineligible for employment or presence at a family child care home, group child care home, child care center, or license-exempt facility not exempted by section 210.1080./9(1)/13, RSMo if such person—

(A) Refuses to consent to the criminal background check as required by section 210.1080, RSMo;

(B) Knowingly makes a materially false statement in connection with the criminal background check as required by section 210.1080, RSMo;

(C) Is registered, or is required to be registered, on a state sex offender registry or repository or the National Sex Offender Registry;

(D) *[Has a finding of child abuse or neglect under section 210.145 or 210.152, RSMo or any other finding of child abuse or neglect based on any other state's registry or database;]* Is listed as a perpetrator of child abuse or neglect under sections 210.109 to 210.183, RSMo or has any other finding of child abuse or neglect based on any other state's registry or database;

[(E) Has been convicted of a felony consisting of—

1. Murder, as described in 18 U.S.C. Section 1111;
2. Child abuse or neglect;
3. A crime against children, including child pornography;
4. Spousal abuse;
5. A crime involving rape or sexual assault;
6. Kidnapping;

7. Arson;

8. Physical assault or battery; or

9. A drug-related offense committed during the preceding five (5) years;

(F) Has been convicted of a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, or sexual assault, or of a misdemeanor involving child pornography; or

(G) Has been convicted of any similar crime in any federal, state, municipal, or other court.]

(E) Has pled guilty or nolo contendere to or been found guilty of:

1. Any felony for an offense against the person as defined in chapter 565;

2. Any other offense against the person involving the endangerment of a child as prescribed by law;

3. Any misdemeanor or felony for a sexual offense as defined in chapter 566;

4. Any misdemeanor or felony for an offense against the family as defined in chapter 568;

5. Burglary in the first degree as defined in 569.160;

6. Any misdemeanor or felony for robbery as defined in chapter 570;

7. Any misdemeanor or felony for pornography or related offense as defined in chapter 573;

8. Any felony for arson as defined in chapter 569;

9. Any felony for armed criminal action as defined in section 571.015, unlawful use of a weapon as defined in section 571.030, unlawful possession of a firearm as defined in section 571.070, or the unlawful possession of an explosive as defined in section 571.072;

10. Any felony for making a terrorist threat as defined in section 574.115, 574.120, or 574.125;

11. A felony drug-related offense committed during the preceding five years, or

12. Any similar offense in any federal, state, municipal, or other court of similar jurisdiction of which the director of the designated department has knowledge.

(2) Adult household members seventeen (17) years of age and older in a family child care home shall be ineligible to maintain a presence at a family child care home if any one (1) or more of the provisions of section (1) of this rule applies to them.

AUTHORITY: section 210.1080, RSMo Supp. [2018] 2020. Emergency rule filed Feb. 15, 2019, effective Feb. 25, 2019, expired Aug. 23, 2019. Original rule filed Feb. 15, 2019, effective Aug. 30, 2019. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure Chapter 63—Child Care Comprehensive Background Screening

EMERGENCY AMENDMENT

19 CSR 30-63.050 Process for Appeal Required in Section 210.1080, RSMo. The department is amending section (1).

PURPOSE: This amendment updates the process for appeal for a prospective child care staff member or child care staff member of a licensed facility to comply with section 210.1080.9, RSMo 2020.

EMERGENCY STATEMENT: The Child Care and Development Block Grant (CCDBG) Act of 2014 Section 658H, which passed November 19, 2014, requires states to conduct comprehensive criminal background checks. The Missouri legislature enacted section 210.1080, RSMo, as a part of HB 1350, 99th General Assembly, First Regular Session (2018). During that same session the Missouri legislature made significant changes to section 210.025, RSMo, to extend background screening requirements to those unlicensed child care providers that receive subsidy payments through the Department of Social Services. Implementation of these statutes has revealed inconsistencies between how the departments determine eligibility for employment or presence in a child care setting and gaps in compliance with the CCDBG Act. To which authorizes the DHSS to promulgate emergency rules to implement criminal background checks for licensed and license-exempt child care providers as required by the CCDBG Reauthorization. Governor Parson commissioned the Missouri Child Care Working Group on May 4, 2019 and charged the working group with conducting a thorough review of current child care regulations and reporting back with recommendations to ensure safe, quality child care. One of the working group's recommendations was that these inconsistencies and gaps in child care background screening requirements be corrected. In response, the Missouri legislature passed HB 1414, 100th General Assembly, Second Regular Session (2020), revising section 210.1080, RSMo, to now include identical requirements to work in a child care setting in Missouri, whether licensed or unlicensed but receiving subsidy payments. This law clarifies who must have a criminal background check, expands the list of offenses which could result in someone being determined to not be eligible for employment or presence in a child care setting, and creates a Child Care Background Screening Review Committee to ensure that appealed results are handled consistently between DHSS and DSS. This law also gives DHSS authority to promulgate emergency rules consistent with its provisions. As a result, this emergency amendment is necessary to protect the safety and health of children in child care settings, and to ensure criminal background checks are completed as required by and in compliance with the CCDBG Reauthorization and section 210.1080, RSMo. A proposed amendment, which covers the same material is published in this issue of the *Missouri Register*. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.

(1) The prospective child care staff member or child care staff member of a licensed facility may appeal a **finding of ineligibility for employment or presence at a child care facility** in writing to the department [to challenge the accuracy or completeness of the information contained in his or her criminal background check, or to offer information mitigating the results and explaining why an eligibility exception should be granted] as allowed by 210.1080.9, RSMo.

(2) The appeal shall be filed within ten (10) days from the mailing of the notice of ineligibility.

(3) The written appeal shall include the child care staff member's full name, Social Security number, date of birth, e-mail address, mailing address and zip code, and telephone number, including the area code, where s/he can be reached Monday through Friday, during the hours from 8:00 a.m. through 5:00 p.m.

AUTHORITY: section 210.1080, RSMo Supp. [2018] 2020. Emergency rule filed Feb. 15, 2019, effective Feb. 25, 2019, expired Aug. 23, 2019. Original rule filed Feb. 15, 2019, effective Aug. 30, 2019. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure **Chapter 91—Authorized Electronic Monitoring in Long-Term Care Facilities**

EMERGENCY RULE

19 CSR 30-91.010 Authorized Electronic Monitoring

PURPOSE: The emergency rule sets forth requirements to implement legislation regarding the use of an electronic monitoring device in long-term care facilities.

AGENCY NOTE: All rules relating to long-term care facilities licensed by the department are followed by a Roman Numeral notation which refers to the class (either Class I, II or III) of standard as designated in section 198.085 RSMo.

EMERGENCY STATEMENT: The Authorized Electronic Monitoring in Long-Term Care Facilities Act becomes law on August 28, 2020. Under this new law, the department is required to promulgate rules and to create a form in this rule that residents and roommates of residents can utilize to give his or her consent to have electronic monitoring devices placed in his or her room. Currently, families of residents in long-term care facilities utilize electronic monitoring devices based on their desire to monitor the care of residents when they can't be present and to communicate with residents. For families, the use of electronic monitoring devices to watch over a loved one brings them peace of mind and a higher level of involvement especially for family members far away. The Authorized Electronic Monitoring in Long-Term Care Facilities Act prohibits anyone in long-term care facilities from utilizing these electronic monitoring devices without completing a form created by the department that provides consent from residents and any roommates for the placement of the electronic monitoring device into the rooms. Without this form being available through the rule as close as possible to the time that the law becomes effective, then these families will be required to turn off and/or remove the electronic monitoring devices and not have such device to communicate and/or watch over the residents for an extended time period because the form will not be available for the residents and roommates to complete. Additionally, the placement of these devices, without the appropriate knowledge of and consent from the resident, resident's guardian or legal representative, or the resident's roommates, violates the resident's and his or her roommates' privacy and dignity. This would include privacy and Health Insurance Portability and Accountability Act (HIPAA) issues such as exams or procedures being conducted by a healthcare professional on residents, when the residents are dressing or bathing or during a visit (e.g., attorney, financial planner, intimate partner, etc.) occurring in the residents' room. This emergency rule implements the Authorized Electronic Monitoring in Long-Term Care Facilities Act. Thus, it is

imperative that this rule become effective as close to the same time that the law becomes effective in order to allow families of residents currently utilizing electronic monitoring devices to continue to utilize these devices. As a result, the department finds a compelling governmental interest, which requires this emergency action. A proposed rule, coverings this same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The department believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed August 20, 2020, becomes effective September 3, 2020, and expires March 1, 2021.

(1) For the purposes of this rule the following definitions shall apply:

(A) Authorized electronic monitoring means the placement and use of an electronic monitoring device by a resident in his or her room in accordance with the provisions of sections 198.610 to 198.632, RSMo;

(B) Electronic monitoring device means a surveillance instrument capable of recording or transmitting audio or video footage of any activity occurring in a resident's room;

(C) Facility or long-term care facility means any residential care facility, assisted living facility, intermediate care facility, or skilled nursing facility, as such terms are defined under section 198.006, RSMo;

(D) Guardian means the same as defined under section 475.010, RSMo; and

(E) Legal representative means a person authorized under a durable power of attorney that complies with sections 404.700 to 404.737, RSMo, to act on behalf of a resident of a facility.

(2) A resident shall be permitted to place in the resident's room an authorized electronic monitoring (AEM) device that is owned and operated by the resident or provided by the resident's guardian or legal representative consistent with sections 198.610 to 198.632, RSMo and this regulation. II/III

(3) A facility shall offer the DHSS-DRL-107 (08-20), Electronic Monitoring Device Acknowledgment and Request Form, included herein to any resident or resident's guardian or legal representative upon request and utilize this form to document consent and use of an electronic monitoring device. II/III

(4) AEM shall not begin nor an electronic monitoring device(s) be installed until the Electronic Monitoring Device Acknowledgment and Request Form has been completed and returned to the facility. The facility may require the resident or the resident's guardian or legal representative to remove or disable the electronic monitoring device. II/III

(5) AEM shall be conducted in accordance with consent and limitations provided in the Electronic Monitoring Device Acknowledgment and Request Form. II/III

(6) If AEM is being conducted in the room of a resident and another resident is moved into the room who has not yet consented to the electronic monitoring, AEM shall cease until the new resident has consented through the Electronic Monitoring Device Acknowledgment and Request Form. The facility may require the resident or the resident's guardian or legal representative to remove or disable the electronic monitoring device. II/III

(7) The placement and use of the AEM device shall be open and obvious.

(8) If a resident installs and uses an electronic monitoring device, a notice to alert and inform visitors shall be posted at the entrance of

the facility and resident's room.

(A) The facility shall post a notice at the main entrance of the facility in large, legible type and font and display the words "Electronic Monitoring" and state: "The rooms of some residents may be monitored electronically by, or on behalf of, the residents and monitoring is not necessarily open or obvious." III

(B) The facility shall require the resident to post and maintain a conspicuous notice at the entrance of the resident's room stating: "This room is being monitored by an electronic monitoring device." III

(9) The facility shall require an electronic monitoring device to be installed as follows:

(A) In plain view;

(B) Mounted in a fixed, stationary position;

(C) Directed only on the resident who initiated the installation and use of AEM device;

(D) Placed for maximum protection of the privacy and dignity of the resident and the roommate; and

(E) In a manner that is safe for residents, employees, or visitors who may be moving about the room. II/III

(10) The facility shall not refuse to admit an individual or discharge a resident because of a request to conduct AEM. II

(11) The facility shall not discharge a resident because unauthorized electronic monitoring is being conducted by or on behalf of a resident. II

(12) The facility shall make reasonable physical accommodation for AEM, including:

(A) Provide a reasonably secure place to mount the video surveillance camera or other electronic monitoring device; and

(B) Provide access to power sources for the video surveillance camera or other electronic monitoring device. II

(13) The facility shall ensure all staff are knowledgeable of the applicable laws and rules regarding AEM, sections 198.610 to 198.632, RSMo, including the consequences of hampering, obstructing, tampering with, or destroying an electronic monitoring device without the consent of the resident or resident's guardian or legal representative. III

(14) The facility shall ensure the Electronic Monitoring Device Acknowledgment and Request Form is maintained in the clinical records of the residents using AEM devices. The roommate's consent to the AEM device shall be maintained in his or her clinical record. These forms shall be retained for a period of five (5) years from the date of discharge. III



MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES
DIVISION OF REGULATION AND LICENSURE
SECTION FOR LONG-TERM CARE REGULATION

ELECTRONIC MONITORING DEVICE ACKNOWLEDGMENT AND REQUEST FORM

FORMS AND INSTRUCTIONS

Important Information

A resident or the resident's guardian or legal representative has the right to conduct authorized electronic monitoring (AEM) under sections 198.610 to 198.632, RSMo.

Written notice must be given to the long-term care facility.

The resident or the resident's guardian or legal representative shall complete and give notice via the consent form to the facility of your intent to place and use an AEM device.

To request AEM, the resident or the resident's guardian or legal representative shall:

- Complete this DHSS-DRL-107 (08-20), Electronic Monitoring Device Acknowledgment and Request Form.
- Obtain consent from other residents, if any in your room, using this DHSS-DRL-107 (08-20), Electronic Monitoring Device Acknowledgment and Request Form.
- Give the designated form(s) to the facility administrator/manager or his or her designee (facility representative).

NOTE: Authorized electronic monitoring shall not begin nor an electronic monitoring device be installed until this Electronic Monitoring Device Acknowledgment and Request Form has been completed, signed, and returned to the facility representative.

Complete Applicable Parts of this Form

There are options for who can complete an Electronic Monitoring Device Acknowledgment and Request Form. The requirements and instructions are different for each part. Make sure you choose the part(s) that fits your situation. For example, if you are a resident and have a roommate, you complete the resident's consent to electronic monitoring (Part I) and your roommate completes the roommate's consent to electronic monitoring (Part II).

The three (3) parts of this form are:

- **Part I** Resident's Request and Consent to Electronic Monitoring: *used when a resident consents for him or herself or the resident's guardian or legal representative gives consent.*
- **Part II** Roommate's Consent to Electronic Monitoring: *when the resident shares a room with another person and the roommate is consenting for him or herself or the roommate's guardian or legal representative gives consent.*

NOTE: If a new roommate has moved into the room the authorized electronic monitoring device cannot be used until Part II is completed, signed, and returned by the new roommate to the facility representative.

- **Part III** Revocation of Consent for the Placement and Use of Authorized Electronic Monitoring Device.**

****Part III - Optional.** A resident or a resident's roommate may withdraw AEM consent to electronic monitoring at any time. You may use Part III of this form to communicate to the facility your decision to no longer authorize electronic monitoring in your room.

Installation and Costs

The resident or the resident's guardian or legal representative shall pay for all costs associated with conducting electronic monitoring, except for the costs of electricity. The resident or the resident's guardian or legal representative shall be solely responsible for:

1. All costs associated with installation or removal of equipment incurred by the resident or the facility;
2. Maintaining the equipment; and
3. Internet service or network access to any electronic monitoring device.

Monitoring Device

An electronic monitoring device to be installed as follows:

1. In plain view;
2. Mounted in a fixed, stationary position;
3. Directed only on the resident who initiated the installation and use of AEM device and not the area(s) occupied by the roommate;
4. Placed for maximum protection of the privacy and dignity of the resident and the roommate; and
5. In a manner that is safe for residents, employees, or visitors who may be moving about the room.

Monitoring Device Recordings

1. If the footage is a videotape or recording, the footage MUST show the date and time that the events acquired on the footage occurred.
2. Contents of the tape or recording cannot have been edited or artificially enhanced.
3. If contents of the footage have been transferred from the original format to another technological format, you shall ensure the transfer is done by a qualified professional and that the contents are not altered.



MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES
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Signage

If a resident installs and uses an electronic monitoring device, a notice to alert and inform visitors shall be posted.

1. The facility shall clearly and conspicuously post a notice at the main entrance of the facility in large, clearly legible type and font and display the words "Electronic Monitoring" and state: "The rooms of some residents may be monitored electronically by, or on behalf of, the residents and monitoring is not necessarily open or obvious."
2. A resident shall be required to post and maintain a conspicuous notice at the entrance of the resident's room stating: "The room is being monitored by an electronic monitoring device."

Immunity

- No facility shall be civilly or criminally liable for activity or action arising out of the use by any resident or any resident's guardian or legal representative of any electronic monitoring device, including the facility's inadvertent or intentional disclosure of a recording made by a resident, or by a person who consents on behalf of the resident, for any purpose not authorized under sections 198.610 to 198.632, RSMo.
- No facility shall be civilly or criminally liable for a violation of the Health Insurance Portability and Accountability Act (HIPAA) or any resident's right to privacy arising out of any electronic monitoring conducted under sections 198.610 to 198.632, RSMo.
- The department and the facility shall be immune from civil liability in connection with the unauthorized placement or use of an electronic monitoring device in the room of a resident.

FREQUENTLY ASKED QUESTIONS:

WHO may request AEM?

- The resident, if the resident has the capacity to request AEM and has not been judicially declared to lack the required capacity, notwithstanding the terms of any durable power of attorney, general power of attorney, or similar instrument.
- If a resident has been judicially declared to lack the capacity required for taking an action such as requesting electronic monitoring, only the guardian may request AEM.
- If a resident has been determined by a physician to lack capacity to request electronic monitoring but has not been judicially declared to lack the required capacity, only the legal representative of the resident may request AEM.

WHO may consent to AEM?

- Any resident and his or her roommate(s).
- A resident's guardian or legal representative.

Can you change your mind about the installation and use of an electronic monitoring device in your room?

Yes. You or your guardian or legal representative may REVOKE a choice to have or not have a monitoring device installed and used. You may revoke your choice at any time and can give notice of such revocation to the facility. You can use Part III of the attached form, *Revocation of Consent for the Placement and Use of Authorized Electronic Monitoring Device*.

Whose choice is it to have a monitoring device installed and used in your room?

This is a choice that ONLY you and, if applicable, your guardian or legal representative can make.

NOTE: If there is audio recording used it will likely record conversations with staff, other health care providers, family and friends, and other parties in the facility. This may mean private information about finances, family relationships, and protected health information may be recorded.

Can a person/resident be refused admittance or discharged for requesting AEM?

A facility CANNOT deny a person/resident admission to a facility or be discharged just because the person/resident chooses to authorize the installation and use of an electronic monitoring device.

What happens if you want a monitoring device in your room, but your roommate does not want one?

A facility may move a resident requesting AEM to a comparable room to accommodate the request to conduct AEM.

How does AEM affect the reporting of abuse and neglect?

If abuse or neglect is suspected the most important thing is to report it immediately. Abuse and neglect cannot be addressed unless reported.

Adult Abuse and Neglect Hotline: 1-800-392-0210 or https://apps4.mo.gov/APS_Portal/

1. A person is required to report abuse based on that person's viewing of, or listening to footage only if the incident of abuse is acquired on the footage.
2. A person is required to report neglect based on that person's viewing of, or listening to footage only if it is clear from viewing or listening to the footage that neglect has occurred.
3. If abuse or neglect of the resident is reported to the facility, and the facility requests a copy of any relevant footage made by an electronic monitoring device, the person who possesses such footage shall provide the facility with a copy at the facility's expense.



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Authorized Electronic Monitoring in Long-Term Care Facilities Act (sections 198.610 to 198.632, RSMo) permits a resident of a long-term care facility to conduct authorized electronic monitoring of his or her room through the use of an electronic monitoring device.

If a resident wants to conduct electronic monitoring in her or his room, the resident, the resident's guardian, or the resident's legal representative shall complete and sign Part I of this form. If the resident has a roommate or roommates, each roommate shall complete and sign Part II to document his or her consent before an electronic monitoring device can be installed in the resident's room.

PART I – RESIDENT'S REQUEST AND CONSENT FOR ELECTRONIC MONITORING

This form shall be completed and signed by or on behalf of the resident and given to a facility representative prior to the installation of, or any use of, an electronic monitoring device in the facility.

NAME OF RESIDENT	ROOM NUMBER
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NAME OF RESIDENT'S GUARDIAN OR LEGAL REPRESENTATIVE (IF RESIDENT DOES NOT HAVE CAPACITY TO CONSENT)

This serves as notice to _____
(NAME AND LOCATION OF FACILITY)

that I have chosen to place and use an authorized electronic monitoring device in the resident room indicated above in accordance with the Authorized Electronic Monitoring in Long-Term Care Facilities Act.

The date I would like the electronic monitoring device installed is _____.

Type of electronic monitoring device I am planning to install (check any that apply):

- audio only
- video only
- audio and video

Upon installation, an authorized electronic monitoring device shall adhere to the following:

1. The placement and use shall be open and obvious.
2. Mounted in a fixed, stationary position.
3. Directed only on the resident who initiated the installation and use of the authorized electronic monitoring device.
4. Placed for maximum protection of the privacy and dignity of the resident and the roommate.
5. Placed in a manner that is safe for residents, employees, or visitors who may be moving about the room.

I understand that I may place conditions or restrictions on the electronic monitoring device. The conditions or restrictions I want to place on the electronic monitoring are (check any that apply):

- Prohibit audio recording;
- Prohibit broadcasting of audio or video;
- Turn off the electronic monitoring device or block the visual recording component of the electronic monitoring device for the duration of an exam or procedure by a health care professional;
- Turn off the electronic monitoring device or block the visual recording component of the electronic monitoring device while dressing, bathing, or toileting is performed;
- Turn the electronic monitoring device off for the duration of a visit with a spiritual advisor, ombudsman, attorney, financial planner, intimate partner, or other visitor;
- Other _____

I understand that the resident or the resident's guardian or legal representative shall pay for all costs associated with conducting electronic monitoring, except for the costs of electricity. The resident or the resident's guardian or legal representative shall be responsible for all costs associated with installation of equipment incurred by the resident or the facility and maintaining the equipment.

I understand that a person who places an electronic monitoring device in the room of a resident or who uses or discloses a tape or other



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recording made by the device may be civilly liable for any unlawful violation of the privacy rights of another.

I understand that a person, who, without authorization, places an electronic monitoring device in the room of a resident or who consents to or acquiesces in the unauthorized placement of the device in the room of a resident has waived any privacy right the person may have had in connection with images or sounds that may be acquired by the device.

I understand that a resident or the resident's guardian or legal representative is entitled to conduct authorized electronic monitoring, and that if the facility refuses to permit the electronic monitoring or fails to make reasonable physical accommodations for the authorized electronic monitoring, the person should contact the Department at 1-800-392-0210 or https://apps4mo.gov/APS_Portal/.

I understand that a person is required to report abuse based on the person's viewing of, or listening to, footage only if the incident of abuse is acquired on the footage. A person is required to report neglect based on the person's viewing of, or listening to, footage only if it is clear from viewing or listening to the footage that neglect has occurred. If abuse or neglect of the resident is reported to the facility, and the facility requests a copy of any relevant footage made by an electronic monitoring device, the person who possesses the footage shall provide the facility with a copy at the facility's expense.

I understand that I am required by law to post and maintain a notice at the entrance of the resident's room to signify that the resident's room is being monitored by an electronic monitoring device.

I hereby release the facility from any civil liability for a violation of my/resident's privacy rights in connection with the use of the electronic monitoring device.

I hereby request and consent to the placement and use of an electronic monitoring device in my room in accordance with Chapter 198, RSMo.

Does the resident have a roommate? Yes* No

*If yes, Part II Roommate's Consent to Allow Electronic Monitoring form shall be completed and signed before an electronic monitoring device can be placed and used in the resident's room.

A person may be subject to a Class B misdemeanor if he or she:

- Intentionally hamper, obstruct, tamper with or destroy a recording or an authorized electronic monitoring device placed in a resident's room without the consent of the resident or the resident's guardian or legal representative.

A person may be civilly liable if he or she:

- Unlawfully violate the privacy rights of another by placing an electronic monitoring device in the room of a resident or by using or disclosing a tape or other recording made by the device.

By signing this form, you attest that you understand and consent to electronic monitoring under terms and conditions provided above and in accordance with the Authorized Electronic Monitoring in Long-Term Care Facilities Act (sections 198.610 to 198.632, RSMo).

(This form may be signed only by the resident or the resident's guardian or legal representative.)

SIGNATURE OF RESIDENT OR RESIDENT'S GUARDIAN OR LEGAL REPRESENTATIVE	DATE
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PART II – ROOMMATE'S CONSENT TO ALLOW ELECTRONIC MONITORING

If the resident has a roommate, Part II shall be completed, signed and given to a facility representative before an authorized electronic monitoring device can be placed and used in the resident's room. If a new roommate has moved into the room who has not yet consented to the electronic monitoring, the authorized electronic monitoring device shall cease until the new resident has consented.

I, _____ live in the same room as
(ROOMMATE NAME)

_____, room number _____
(RESIDENT NAME)

at _____
(NAME AND LOCATION OF FACILITY)

I understand that _____
(RESIDENT NAME)

wants to place and use an authorized electronic monitoring device in the room.

NAME OF ROOMMATE'S GUARDIAN OR LEGAL REPRESENTATIVE (IF ROOMMATE DOES NOT HAVE CAPACITY TO CONSENT)

Yes, I **consent** to the placement and use of an authorized electronic monitoring device in the room. I understand that:

- a. The placement and use shall be open and obvious.
- b. The authorized electronic monitoring device shall be in a fixed, stationary position.
- c. The authorized electronic monitoring device shall be directed only on the resident who initiated the installation and use of the authorized electronic monitoring device.
- d. The authorized electronic monitoring device shall be placed for maximum protection of the privacy and dignity of the resident and the roommate.
- e. The authorized electronic monitoring device shall be installed in a manner that is safe for residents, employees, or visitors who may be moving about the room.

No, I **do not consent** to the placement and use of an authorized electronic monitoring device in the room.

**If you do not consent to the placement and use of an authorized electronic monitoring device, return this to the facility representative. You do not need to complete the remainder of the form.



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Condition Consent:

1) When the proposed electronic monitoring device is a video surveillance camera, condition consent on the camera being pointed away from the consenting resident.

- Yes, I want the camera pointed away from my side of the room.
 No, I have no condition on placement.

2) Condition consent on the use of an audio electronic monitoring device being limited or prohibited.

- Yes, I want limitations noted below:

- Yes, I want to prohibit audio surveillance in my room.
 No, I have no condition on placement.

3) I hereby release the facility from any civil liability for a violation of my right to privacy in connection with the use of the electronic monitoring device.

A person may be subject to a Class B misdemeanor if he or she:

- Intentionally hamper, obstruct, tamper with or destroy a recording or an authorized electronic monitoring device placed in a resident's room without the express written consent of the resident or the resident's guardian or legal representative.

A person may be civilly liable if he or she:

- Unlawfully violate the privacy rights of another by placing an electronic monitoring device in the room of a resident or by using or disclosing a tape or other recording made by the device.

By signing this form, you attest that you understand and consent to electronic monitoring under terms and conditions provided above and in accordance with the Authorized Electronic Monitoring in Long-Term Care Facilities Act (sections 198.610 to 198.632, RSMo).

SIGNATURE OF ROOMMATE OR ROOMMATE'S GUARDIAN OR LEGAL REPRESENTATIVE

DATE



MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES
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SECTION FOR LONG-TERM CARE REGULATION

ELECTRONIC MONITORING DEVICE ACKNOWLEDGMENT AND REQUEST FORM**PART III – REVOCATION OF CONSENT FOR THE PLACEMENT AND USE OF AN AUTHORIZED ELECTRONIC MONITORING DEVICE**

I, _____
(NAME OF RESIDENT OR RESIDENT'S GUARDIAN OR LEGAL REPRESENTATIVE)

OR

I, _____
(NAME OF ROOMMATE OR ROOMMATE'S GUARDIAN OR LEGAL REPRESENTATIVE)

hereby revoke my consent for an authorized electronic monitoring device to be placed and used in the room. The authorized electronic monitoring device must be disabled in compliance with the facility's standards upon receipt of this written revocation notice of the consent.

SIGNATURE OF RESIDENT OR RESIDENT'S GUARDIAN OR LEGAL REPRESENTATIVE	DATE
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SIGNATURE OF ROOMMATE OR ROOMMATE'S GUARDIAN OR LEGAL REPRESENTATIVE	DATE
--	------

AUTHORITY: sections 198.612, 198.616, 198.620, 198.622, and 198.626, HB 1387 and 1482, Second Regular Session, One Hundredth General Assembly, 2020. Emergency rule filed Aug. 20, 2020, effective Sept. 3, 2020, expires March 1, 2021. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will cost state agencies or political subdivisions fifty-seven thousand three hundred fifty dollars (\$57,350) in the time the emergency is effective.

PRIVATE COST: This emergency rule will cost private entities one million two hundred ninety-six thousand two hundred forty-three dollars (\$1,296,243,) in the time the emergency is effective.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Department of Health and Senior Services**
Division Title: Division of Regulation and Licensure
Chapter Title: 19 CSR 30-91.010 Authorized Electronic Monitoring in Long Term Care Facilities

Rule Number and Title:	19 CSR 30-91.010 Authorized Electronic Monitoring in Long Term Care Facilities
Type of Rulemaking:	Emergency Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
(34) Skilled Nursing Facilities	\$50,161.50
(15) Residential Care Facilities and Assisted Living Facilities	\$7,188.75
TOTAL COSTS =	\$57,350.25

III. WORKSHEET

Designated facility staff person

Median wages were used to calculate the average pay per hour for a designated facility staff person:

Manager/Administrator: \$47.26 per hour

Licensed Practical Nurse (LPN): \$22.23 per hour

Registered Nurse (RN): \$35.24 per hour.

Social Services “designee”: \$23.07 per hour

$\$47.26 + \$22.23 + \$35.24 + \$23.07/4 = \$31.95$ average pay per hour for a designated facility staff person.

34 SNFs with a combined total of 3,139 licensed beds (residents)/2= 1570 residents choosing to utilize electronic monitoring devices.

15 public RCFs and ALFs with a combined total of 449 licensed beds (residents)/2=225 residents choosing to utilize electronic monitoring devices.

Costs of a designed facility staff person on public SNFs

One (1) facility staff person @ \$31.95 per hour for one (1) hour x 1570 residents of 34 public owned SNFs = \$50,161.50.

Costs of a designed facility staff person on public RCF/ALFs

One (1) facility staff person @ \$31.95 per hour for one (1) hour x 225 residents of 15 public owned RCFs/ALFs = \$7,188.75.

Total for costs for public entities (RCF/ALF/SNF) to designate a staff person for oversight/management to ensure appropriate placement of an electronic monitoring device and to ensure the required prescribed form is properly completed, signed, and placed in the resident's medical record: $\$50,161.50 + \$7,188.75 = \$57,350.25$

IV. ASSUMPTIONS

At least one (1) designated facility staff person will be needed for oversight/management to ensure appropriate placement of an electronic monitoring device and that the required prescribed form is properly completed, signed, and placed in the resident's medical record. The department assumes the facility may designate a manager/administrator, a licensed nurse, or a social services "designee" to complete this task. Furthermore, the department assumes it will take this designated staff person at least one (1) hour to review the prescribed form for completeness, file the form in the resident's medical record, and then work with the resident or their representative to determine appropriate placement of the electronic monitoring device.

The department is estimating during the emergency rule period between September 3, 2020 to March 1, 2021 the number of residents or the resident's guardian or legal representative requesting to place an electronic monitoring device in the resident's room and the number of required forms needing to be completed will initially be high. It is estimated at least fifty percent (50%) of residents will need to have the required form completed to install an electronic monitoring device. This number is initially high because those families currently utilizing electronic monitoring devices will need to complete forms to come into compliance with the law and regulation. Additionally, this number is high because the Department has received an overwhelming response from families asking questions about this new law and expressing a desire to place electronic monitoring devices into their loved ones' rooms. Finally, as residents move in and out of facilities, move rooms and roommates change, then forms will have to be completed based on the situation.

There are currently 34 public owned skilled nursing care facilities (SNFs) and 0 public owned intermediate care facilities that are licensed by the department:

Licensed ICFs = 0

Licensed SNFs = 34

There are currently 15 public owned residential care facilities (RCFs) and assisted living facilities (ALFs) that are licensed by the department:

Licensed RCFs/RCF IIs = 11

Licensed ALFs = 4

There are 0 public owned ICFs and 34 SNFs with a combined total of 3,139 licensed beds. The department estimates at least 50% of residents, the residents' guardians or legal representatives will request to place and use an electronic monitoring device in the residents' rooms which would be 1570 licensed beds/residents.

There are 15 public RCFs and ALFs with a combined total of 449 licensed beds. The department estimates at least 50% of residents, or the residents' guardians or legal representatives will request to place and use an electronic monitoring device in the residents' rooms which would be 225 licensed beds/residents.

The Department is not including the costs a facility may incur as a result of proper placement of residents' electronic monitoring devices because section 198.622, RSMo requires that the resident or the resident's guardian or legal representative is responsible to pay for all costs associated with conducting electronic monitoring, except for the costs of electricity.

The Department is also not including the costs of the facility to ensure all staff are knowledgeable of the applicable laws as this can be completed during in-service trainings that is already occurring or through other methods of training the facilities already utilize with their employees.

The Department is not including costs for the facility staff to help control (turn off and on) the electronic monitoring devices as indicated by the resident and any of the resident's roommates on their respective electronic monitoring forms. Any assistance that staff may provide to help control (turn off and on) the electronic monitoring devices will be part of the care already being given to the residents and roommates for activities of daily living. For example, a certified nurse assistant may turn off the electronic monitoring device before dressing a resident who has an electronic monitoring device pointed towards the resident because the resident checked the box on the resident's electronic monitoring device form electing to have the electronic monitoring device turned off when dressing.

Finally, the Department is not including costs to the facility or to the family to post electronic monitoring notices as these notices can be done on paper that the facility or families already have at their disposal.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Department of Health and Senior Services
Division Title: Division of Regulation and Licensure
Chapter Title: 19 CSR 30-91.010 Authorized Electronic Monitoring in Long Term Care Facilities**

Rule Number and Title:	19 CSR 30-91.010 Authorized Electronic Monitoring in Long Term Care Facilities
Type of Rulemaking:	Emergency Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
505	Intermediate Care Facilities and Skilled Nursing Facilities	\$861,403.95
636	Residential Care Facilities and Assisted Living Facilities	\$434,839.50
	TOTAL COSTS =	\$1,296,243.40

III. WORKSHEET

Designated facility staff person on private entities

Median wages were used to calculate the average pay per hour for a designated facility staff person:

Manager/Administrator: \$47.26 per hour
Licensed Practical Nurse (LPN): \$22.23 per hour
Registered Nurse (RN): \$35.24 per hour.
Social Services “designee”: \$23.07 per hour
= \$47.26 + \$22.23 + \$35.24 + \$23.07/4 = \$31.95 per hour.

505 private ICFs and SNFs with a combined total of 53,922 licensed beds/2= 26,961 licensed beds/residents who will utilize electronic monitoring devices.

636 private RCFs and ALFs with a combined total of 27,220 licensed beds/2= 13,610 licensed beds/residents who will utilize electronic monitoring devices.

Costs of a designed facility staff person on private ICF/SNFs

One (1) facility staff person @\$31.95 per hour for one (1) hour x 26,961 residents = \$861,403.95

Costs of a designed facility staff person on private RCF/ALFs

One (1) facility staff person @\$31.95 per hour for one (1) hour x 13,610 residents = \$434,839.50

Total for costs for private (RCF/ALF/ICF/SNF) entities to designate a staff person for oversight/management to ensure appropriate placement of an electronic monitoring device and to ensure the required prescribed form is properly completed, signed, and placed in the resident's medical record: \$861,403.95+ \$434,839.50= \$1,296,243.40.

IV. ASSUMPTIONS

At least one (1) designated facility staff person will be needed for oversight/management to ensure appropriate placement of an electronic monitoring device and to ensure the required prescribed form is properly completed, signed, and placed in the resident's medical record. The department assumes the facility may designate a manager/administrator, a licensed nurse, or a social services "designee" to complete this task. Furthermore, the department assumes it will take this designated staff person at least one (1) hour to review the prescribed form for completeness, file the form in the resident's medical record, and then determine appropriate placement of the electronic monitoring device.

The department is estimating during the emergency rule period between September 3 2020 to March 1, 2021 the number of residents or the resident's guardian or legal representative requesting to place an electronic monitoring device in the resident's room and the number of required forms needing to be completed will initially be high. It is estimated at least fifty percent (50%) of residents will need to have the required form completed to install an electronic monitoring device. This number is initially high because those families currently utilizing electronic monitoring devices will need to complete forms to come into compliance with the law and regulation. Additionally, this number is high because the Department has received an overwhelming response from families asking questions about this new law and expressing a desire to place electronic monitoring devices into their loved ones' rooms. Finally, as residents move in and out of facilities, move rooms and roommates change, then forms will have to be completed based on the situation.

There are 505 private ICFs and SNFs with a combined total of 53,922 licensed beds. The department estimates at least 50% of residents, or the residents' guardians or legal representatives will request to place and use an electronic monitoring device in the residents' rooms which would be 26,961 licensed beds/residents.

There are 636 private RCFs and ALFs with a combined total of 27,220 licensed beds. The department estimates at least 50% of residents, or the residents' guardians or legal representatives will request to place and use an electronic monitoring device in the residents' rooms which would be 13,610 licensed beds/residents.

This fiscal note does not include costs a facility may incur as a result of proper placement of a residents electronic monitoring device because section 198.622, RSMo requires that the resident or the resident's guardian or legal representative is responsible to pay for all costs associated with conducting electronic monitoring, except for the costs of electricity.

The Department is also not including the costs of the facility to ensure all staff are knowledgeable of the applicable laws as this can be completed during in-service trainings already occurring or through other methods of training the facilities already utilize with their employees.

The Department is not including costs for the facility staff to help control (turn off and on) the electronic monitoring devices as indicated by the resident and any of the resident's roommates on their respective electronic monitoring forms. Any assistance that staff may provide to help control (turn off and on) the electronic monitoring devices will be part of the care already being given to the residents and roommates for activities of daily living. For example, a certified nurse assistant may turn off the electronic monitoring device before dressing a resident who has an electronic monitoring device pointed towards the resident because the resident checked the box on the resident's electronic monitoring device form electing to have the electronic monitoring device turned off when dressing.

Finally, the Department is not including costs to the facilities to post electronic monitoring notices as these notices can be done on paper that the facilities already have at their disposal.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbol under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

(Bracketed text indicates matter being deleted.)

Title 5—DEPARTMENT OF ELEMENTARY AND

SECONDARY EDUCATION

Division 20—Division of Learning Services

Chapter 100—Office of Quality Schools

PROPOSED RESCISSION

5 CSR 20-100.250 Charter Schools. This rule provided policies for evaluating charter school sponsors.

PURPOSE: *This rule is being rescinded because the standards for evaluating charter school sponsors have been incorporated into 5 CSR 20-100.260, Standards for Charter Sponsorship.*

AUTHORITY: *section 160.400 and 161.092, RSMo Supp. 2011 and section 2(A) of Art. IX, Mo. Const. Original rule filed Jan. 24, 2012, effective Aug. 30, 2012. Rescinded: Filed Aug. 26, 2020.*

PUBLIC COST: *This proposed rescission will not cost state agencies*

or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: *The proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Elementary and Secondary Education, ATTN: Dr. Chris Neale, Assistant Commissioner, Office of Quality Schools, PO Box 480, Jefferson City, MO 65102-0480 or by email to qualityschools@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 5—DEPARTMENT OF ELEMENTARY AND

SECONDARY EDUCATION

Division 20—Division of Learning Services

Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.220 Application for Substitute Certificate of License to Teach. The State Board of Education is amending section (1).

PURPOSE: *This proposed amendment adds language that allows department-approved training as an alternative route to gain a substitute certificate of license to teach.*

(1) An applicant for a substitute Missouri certificate of license to teach who has successfully completed sixty (60) semester hours or more of college level credit from a regionally-accredited academic degree granting institution recognized by the Department of Elementary and Secondary Education (department) **or has successfully completed a minimum of twenty (20) clock hours of department-approved substitute teacher training that includes professionalism, honoring diversity, engaging students, foundational classroom management techniques, basic instructional strategies, supporting students with special needs, and working with at-risk youth** may be granted a substitute Missouri certificate of license to teach pursuant to the rules promulgated by the State Board of Education (board).

AUTHORITY: *sections 161.092, 168.011, 168.071, and 168.081, RSMo 2016, and section 168.021, RSMo Supp. [2019] 2020. This rule previously filed as 5 CSR 80-800.290. Emergency rule filed July 30, 1999, effective Aug. 9, 1999, expired Jan. 26, 2000. Original rule filed July 30, 1999, effective Feb. 29, 2000. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Aug. 19, 2020, effective Sept. 2, 2020, expires Feb. 28, 2021. Amended: Filed Aug. 19, 2020.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.640 Certification Requirements for Initial Student Services Certificate. The board is amending subsection (1)(B) and deleting subsection (1)(C).

PURPOSE: This amendment will replace initial counselor K-8 and initial counselor 7-12 certificates with an initial counselor K-12 certificate and update the requirements for the counselor culminating clinical experience.

(1) An applicant for a Missouri Initial Student Services Certificate, valid for a period of four (4) years, may be granted an Initial Student Services Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional requirements:

(B) The Initial Student Services Certificate for *[Elementary] School Counselor (Grades K-8/ 12)*, valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Recommendation for certification from the designated official of a counselor preparation program approved by the department;
2. Completion of a course in Psychology/Education of the Exceptional Child; and
3. The applicant must possess either—

A. Completion of a master's degree with a major emphasis in *[guidance and] school* counseling from a college or university meeting approval of the department, based upon the completion of a planned program of at least forty-two (42) semester hours of approved graduate credit *[in]* courses in *[guidance and]* counseling with at least twelve (12) semester hours focused upon *[guidance]* counseling in the elementary and secondary schools—

(I) Knowledge and/or competency in each of the following areas:

- (a) Student Development—
 - I. Human Growth and Development;
 - II. Counseling Theories and Interventions;
 - III. Helping Relationships;
 - IV. Social and Cultural Diversity;
 - V. Appraisal of Student Growth and Achievement;

and

- VI. Career Development and Planning;
- (b) Program Implementation—
 - I. Structural Components;
 - II. Program Components;
 - III. Technology; and
 - IV. Program, Personnel, and Results Evaluation;
- (c) Professional Relationships—
 - I. Interpersonal Skills;
 - II. Collaboration;
 - III. Consultation Theories and Strategies; and
 - IV. School and Community Involvement;

- (d) Leadership and Advocacy—

- I. Personal Well-Being;
 - II. Leadership and Professionalism;
 - III. Student Advocacy;
 - IV. Program Leadership; and
 - V. School Climate and Culture;
- (e) Ethical and Professional Conduct—
 - I. Ethical Standards;
 - II. Professional Standards;
 - III. District and School Policies; and
 - IV. Legal Requirements; and

(II) Field and Clinical Experience (three (3) semester

hours minimum of three hundred (300) clock hours of which two hundred (200) clock hours will be in a major area (elementary or secondary); fifty (50) clock hours in a minor area (elementary or secondary); and the remaining fifty (50) clock hours will be at the discretion of the program and candidate)—

(a) Culminating Clinical Experience. This refers to *[an]* elementary and secondary school placement(s) in which candidates actively participate and complete class assignments and work with students as requested while under the supervision of a school counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising school counselor, preparation program supervisors, and/or other stakeholders working to improve student learning; or

B. A master's degree or higher degree in education, school counseling, counseling, counseling psychology, rehabilitation counseling, or a closely-related mental health discipline; and completed additional graduate coursework specific to school counseling, as designated by the recommending certification official of a counselor preparation program approved by the department; along with the following:

(I) Possess a bachelor's degree in education from a educator preparation program approved by the department; or

(II) Complete a curriculum in teaching methods and practices, classroom management, and the psychology of the exceptional child, as specified by the recommending certification officer of a counselor preparation program approved by the department; and

(III) Field and Clinical Experience (minimum of three hundred (300) clock hours of which two hundred (200) clock hours will be in a major area (elementary or secondary); fifty (50) clock hours in a minor area (elementary or secondary); and the remaining fifty (50) clock hours will be at the discretion of the program and candidate)—

(a) Culminating Clinical Experience. This refers to *[an]* elementary and secondary school placement(s) in which candidates actively participate and complete class assignments and work with students as requested while under the supervision of a school counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising school counselor, preparation program supervisors, and/or other stakeholders working to improve student learning; and

4. Must achieve a score equal to or in excess of the qualifying score of any assessment(s) required by the State Board of Education (board). The official score report shall be submitted to the department;

(IC) The Initial Student Services Certificate for Secondary Counselor (Grades 7-12), valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Recommendation for certification from the designated official of an approved counselor preparation program;
2. Completion of a course in Psychology/Education of the Exceptional Child; and

3. The applicant must possess either—

A. A master's degree with a major emphasis in guidance and counseling from a college or university meeting approval of the department based upon the completion of a planned program of at least forty-two (42) semester hours of approved graduate credit in courses in guidance and counseling with at least twelve (12) semester hours focused upon guidance in secondary schools—

(I) Knowledge and/or competency in each of the following areas:

- (a) Student Development—
 - I. Human Growth and Development;
 - II. Counseling Theories and Interventions;
 - III. Helping Relationships;
 - IV. Social and Cultural Diversity;
 - V. Appraisal of Student Growth and

Achievement; and

- VI. Career Development and Planning;*
- (b) *Program Implementation—*
 - I. *Structural Components;*
 - II. *Program Components;*
 - III. *Technology; and*
 - IV. *Program, Personnel, and Results Evaluation;*
- (c) *Professional Relationships—*
 - I. *Interpersonal Skills;*
 - II. *Collaboration;*
 - III. *Consultation Theories and Strategies; and*
 - IV. *School and Community Involvement;*
- (d) *Leadership and Advocacy—*
 - I. *Personal Well-Being;*
 - II. *Leadership and Professionalism;*
 - III. *Student Advocacy;*
 - IV. *Program Leadership; and*
 - V. *School Climate and Culture; and*
- (e) *Ethical and Professional Conduct—*
 - I. *Ethical Standards;*
 - II. *Professional Standards;*
 - III. *District and School Policies; and*
 - IV. *Legal Requirements; and*

(III) *Field and Clinical Experience (minimum of three hundred (300) clock hours)—*

(a) *Culminating Clinical Experience. This refers to a secondary school placement(s) in which candidates actively participate and complete class assignments and work with students as requested while under the supervision of a counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising counselor, preparation program supervisors, and/or other stakeholders working to improve student learning;*

B. *A master's degree or higher degree in education, school counseling, counseling, counseling psychology, rehabilitation counseling, or a closely-related mental health discipline; and completed additional graduate coursework specific to school counseling, as designated by the recommending certification official approved by the department; along with the following:*

(I) *Possess a bachelor's degree in education from an educator preparation program approved by the department; or*

(III) *Complete a curriculum in teaching methods and practices, classroom management, and the psychology of the exceptional child, as specified by the recommending certification officer of a program approved by the department; and*

(III) *Field and Clinical Experience (minimum of three hundred (300) clock hours)—*

(a) *Culminating Clinical Experience. This refers to an elementary school placement(s) in which candidates actively participate and complete class assignments and work with students as requested while under the supervision of a counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising counselor, preparation program supervisors, and/or other stakeholders working to improve student learning;*

4. *Must achieve a score equal to or in excess of the qualifying score of any assessment(s) required by the board. The official score report shall be submitted to the department;*

(D)(C) *The Initial Student Services Certificate for School Psychological Examiner (Kindergarten – Grade 12), valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:*

1. The applicant shall hold a valid Missouri professional teaching certificate or student services certificate of license to teach as an elementary or secondary school counselor;

2. Completion of a master's degree from a college or university meeting approval of the Missouri Department of Elementary and Secondary Education in one (1) of the following areas:

- A. Counseling Psychology;
- B. Educational Psychology;
- C. School Counseling; and
- D. Education;

3. Recommendation for certification from the designated official of an approved Psychological Examiner preparation program;

4. Completion of a course in Psychology/Education of the Exceptional Child;

5. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department; and

6. A minimum of twenty-four (24) semester hours of professional preparation at the graduate level with competencies demonstrated in all areas listed to the satisfaction of an approved preparation program—

A. Course Areas—

(I) *Psychological Development: Child, Adolescent, or Developmental Psychology;*

(II) *Psychology of Education;*

(III) *Statistical Methods;*

(IV) *Psychology of Personality or Psychodiagnostics;*

(V) *Psychological Tests and Measures for the Analysis of Student Performance;*

(VI) *Individual Intelligence Tests; and*

(VII) *Individual Diagnostic Assessments (other than the Wechsler Scales and the Stanford-Binet Intelligence Scale);*

B. Competencies—

(I) *Applying Methods and/or Techniques of Interpretation of Tests;*

(II) *Analyzing and Identifying Differences to include tiered systems for supporting instruction and behavior;*

(III) *Interpreting Formal and Informal Diagnostic Assessments and Applying to Guide Interventions;*

(IV) *Utilizing Knowledge of Classroom Environment, Psychological Principles, and Data to assist in the development of student educational plans;*

(V) *Applying Diagnostic Interviewing Techniques;*

(VI) *Collaborating and Consulting with Other Professionals to Identify Instructional Strategies;*

(VII) *Administering and Interpreting the Wechsler Scales, the Stanford-Binet Intelligence Scale, and other psychoeducational instruments; and*

(VIII) *Providing services consistent with ethical, legal, and professional standards; and*

C. Field and Clinical Experiences (minimum of one hundred fifty (150) clock hours)—

(I) *Culminating Clinical Experience. This culminating clinical experience must be in an educational setting with children and youth of school age while under the supervision of a certified School Psychological Examiner or School Psychologist. The culminating clinical experience must include the administration and interpretation of individual intelligence tests, formal and informal diagnostic procedures, and the application of the information to develop instructional strategies;*

(E)(D) *The Initial Student Services Certificate for School Psychological Examiner, valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:*

1. Completion of a specialist or higher degree with a major emphasis in school psychology from an approved School Psychologist preparation program;

2. Recommendation for certification from the designated official of a School Psychologist preparation program approved by the department;

3. A minimum of sixty (60) semester hours of professional preparation at the graduate level with competencies demonstrated in all areas listed to the satisfaction of an approved School Psychologist preparation program—

A. Psychological Foundations—

- (I) Biological Bases of Behavior;
- (II) Human Learning;
- (III) Social and Cultural Bases of Behavior;
- (IV) Child and Adolescent Development;
- (V) Individual Differences, including human exceptionalities; and

(VI) Developmental Psychology;

B. Educational Foundations—

- (I) Instructional Design; and
- (II) Organization and Operations of Schools;

C. Interventions/Problem Solving—

- (I) Diverse Methods and Models of Assessment;
- (II) Linked to Direct Interventions; and
- (III) Linked to Indirect Interventions;

D. Statistics and Research Methodologies—

- (I) Statistics;
- (II) Research and Evaluation Methods; and
- (III) Measurement; and

E. Professional School Psychology—

- (I) History and Foundations of School Psychology;
- (II) Legal and Ethical Issues;
- (III) Professional Issues and Standards;
- (IV) Alternative Models for Delivery of School Psychological Services;
- (V) Emergent Technologies; and
- (VI) Roles and Functions of the School Psychologist;

4. Competencies—

A. Data-Based Decision Making and Accountability. School psychologists have knowledge of varied models and methods of assessment and data collection methods for identifying strengths and needs, developing effective services and programs, and measuring progress and outcomes. As part of a systematic and comprehensive process of effective decision making and problem solving that permeates all aspects of service delivery, school psychologists demonstrate skills to use psychological and educational assessment, data collection strategies, and technology resources and apply results to design, implement, and evaluate response to services and programs;

B. Consultation and Collaboration. School psychologists have knowledge of varied models and strategies of consultation, collaboration, and communication applicable to individuals, families, groups, and systems and methods to promote effective implementation of services. As part of a systematic and comprehensive process of effective decision making and problem solving that permeates all aspects of service delivery, school psychologists demonstrate skills to consult, collaborate, and communicate effectively with others;

C. Interventions and Instructional Support to Develop Academic Skills. School psychologists have knowledge of biological, cultural, and social influences on academic skills; human learning, cognitive, and developmental processes; and evidence-based curricula and instructional strategies. School psychologists, in collaboration with others, demonstrate skills to use assessment and data collection methods and to implement and evaluate services that support cognitive and academic skills;

D. Interventions and Mental Health Services to Develop Social and Life Skills. School psychologists have knowledge of biological, cultural, developmental, and social influences on behavior and mental health, behavioral and emotional impacts on learning and life skills, and evidence-based strategies to promote social-emotional functioning and mental health. School psychologists, in collaboration with others, demonstrate skills to use assessment and data-collection

methods and to implement and evaluate services that support socialization, learning, and mental health;

E. School-Wide Practices to Promote Learning. School psychologists have knowledge of school and systems structure, organization, and theory; general and special education; technology resources; and evidence-based school practices that promote learning and mental health. School psychologists, in collaboration with others, demonstrate skills to develop and implement practices and strategies to create and maintain effective and supportive learning environments for children and others;

F. Preventive and Responsive Services. School psychologists have knowledge of principles and research related to resilience and risk factors in learning and mental health, services in schools and communities to support multi-tiered prevention, and evidence-based strategies for effective crisis response. School psychologists, in collaboration with others, demonstrate skills to promote services that enhance learning, mental health, safety, and physical well-being through protective and adaptive factors and to implement effective crisis preparation, response, and recovery;

G. Family-School Collaboration Services. School psychologists have knowledge of principles and research related to family systems, strengths, needs, and culture; evidence-based strategies to support family influences on children's learning and mental health; and strategies to develop collaboration between families and schools. School psychologists, in collaboration with others, demonstrate skills to design, implement, and evaluate services that respond to culture and context and facilitate family and school partnerships and interactions with community agencies for enhancement of academic and social-behavioral outcomes for children;

H. Diversity in Development and Learning. School psychologists have knowledge of individual diversity factors for children, families, and schools, including factors related to culture, context, and individual and role differences; and evidence-based strategies to enhance services and address potential influences related to diversity. School psychologists demonstrate skills to provide effective professional services that promote effective functioning for individuals, families, and schools with diverse characteristics, cultures, and backgrounds and across multiple contexts, with recognition that an understanding and respect for diversity in development and learning and advocacy for social justice are foundations for all aspects of service delivery;

I. Research and Program Evaluation. School psychologists have knowledge of research design, statistics, measurement, varied data collection and analysis techniques, and program evaluation sufficient for understanding research and interpreting data in applied settings. School psychologists demonstrate skills to evaluate and apply research as a foundation for service delivery and, in collaboration with others, use various techniques and technology resources for data collection, measurement, and analysis to support effective practices at the individual, group, and/or systems levels;

J. Legal, Ethical, and Professional Practice. School psychologists have knowledge of the history and foundations of school psychology; multiple service models and methods; ethical, legal, and professional standards; and other factors related to professional identity and effective practice as school psychologists. School psychologists demonstrate skills to provide services consistent with ethical, legal, and professional standards; engage in responsive ethical and professional decision-making; collaborate with other professionals; and apply professional work characteristics needed for effective practice as school psychologists, including respect for human diversity and social justice, communication skills, effective interpersonal skills, responsibility, adaptability, initiative, dependability, and technology skills; and

K. Information and Technology. Demonstrate an understanding of information sources and technology relevant to their work;

5. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department; and

6. Field and Clinical Experiences (minimum of one (1) year or one thousand two hundred (1,200) clock hours)—

A. Culminating Clinical Experience. This culminating clinical experience must be a planned program of experiences and supervised internship designed to achieve these competencies as part of an approved graduate degree program in school psychology. At least half of the internship must be completed in an educational setting. This internship experience will include opportunities to demonstrate skills learned in all coursework.

AUTHORITY: sections 161.092, 168.011, [168.021,] 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed June 22, 2018, effective Jan. 30, 2019. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 30—Division of Financial and Administrative Services

Chapter 660—School Finance

PROPOSED RULE

5 CSR 30-660.090 Charter School Local Education Agency (LEA) Attendance Hour Reporting

PURPOSE: This proposed rule establishes policies and standards for charter school local education agencies (LEAs) for providing foundation formula payment in accordance with Chapter 160, RSMo, to meet the health and safety needs of students and faculty if social distancing is necessary due to COVID-19 during the 2020-2021 school year.

(1) The following definitions apply to this rule:

(A) Average Daily Attendance (ADA): the quotient or the sum of the quotients obtained by dividing the total number of hours attended in a term by pupils between the ages of five (5) and twenty-one (21) by the actual number of hours school was in session in that term;

(B) First Preceding Year: The school year prior to the year attendance was impacted by COVID-19, specifically the 2019-2020 school year for the purpose of this rule; and

(C) Weighted Average Daily Attendance (WADA): The average daily attendance plus the product of twenty-five hundredths (0.25) multiplied by the free and reduced price lunch pupil count that exceeds the free and reduced price lunch threshold, plus the product of seventy-five (0.75) hundredths multiplied by the number of special

education pupil count that exceeds the special education threshold, plus the product of six-tenths (0.6) multiplied by the number of limited English proficiency pupil count that exceeds the limited English proficiency threshold.

(2) For the purposes of state aid calculation outlined in section 160.415, RSMo, during the 2020-2021 school year, WADA for charter school LEAs shall be defined as the higher of the current year's WADA or the first preceding year's WADA. This provision is applicable for the 2020-2021 school year.

(3) For the purposes of other state aid calculations outlined in sections 163.043 and 163.087, RSMo, that rely on the 2020-2021 school year ADA or WADA, charter school LEAs may rely on the higher of the 2019-2020 or 2020-2021 applicable ADA or WADA. This provision is applicable for the 2021-2022 school year.

AUTHORITY: sections 161.092, 163.031, 163.043, and 163.087, RSMo 2016, and section 160.415, RSMo Supp. [2019] 2020. Emergency rule filed Aug. 19, 2020, effective Sept. 2, 2020, expires Feb. 28, 2021. Original rule filed Aug. 19, 2020.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, ATTN: Kari Monsees, Division of Financial and Administrative Services, PO Box 480, Jefferson City, MO 65102-0480, or by email to DESE.AdminRules@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 11—DEPARTMENT OF PUBLIC SAFETY

Division 30—Office of the Director

Chapter 10—Amber Alert

PROPOSED AMENDMENT

11 CSR 30-10.020 Law Enforcement Agency Procedures for Activating an AMBER Alert. The division is amending sections (1)-(3) and (5).

PURPOSE: This amendment updates the process for activating the AMBER Alert system.

(1) In the event of a missing child, the reporting agency *[must]* shall first determine *[that]* the following criteria are met:

(A) The missing child qualifies as an “abducted child,” *[as defined in 11 CSR 30-10.010;]* defined as a child age seventeen (17) or under whose whereabouts is unknown and who has been determined by local law enforcement to be—

1. The victim of kidnapping as defined by section 565.110, RSMo; or

2. The victim of a crime of child kidnapping as defined by section 565.115, RSMo, the statutory age limit notwithstanding;

(B) The child is in the custody of someone other than a parent, guardian, or other official custodial entity, or sufficient evidence exists to indicate *[that]* harm may come to a child from a parent, guardian, or other official custodial entity; and

(C) Sufficient descriptive information exists to enhance the possibility of recovery, such as—

1. The time and location of the incident;
2. A physical description of the abducted child or his or her clothing, if known;
3. A physical description and identity, if known, of the abductor and whether or not the abductor is armed; and
4. A vehicle description and direction of travel.

(2) The reporting agency *[must]* shall take a complete report and validate the information.

(3) The reporting agency shall *[next]*—

[(A) Issue a local AMBER Alert if the local agency has its own Amber Alert plan;

(B) If there is no local AMBER Alert plan or if the alert should be expanded beyond the local plan, the agency should complete the Missouri AMBER Alert Abduction Form and fax the form to the Missouri State Highway Patrol (MSHP) Communications Division; and

(C) Enter the incident into the Missouri Uniform Law Enforcement System and the National Crime Information Center database.]

(A) Complete and submit a Missouri AMBER Alert Abduction Form through the Missouri Uniform Law Enforcement System (MULES). A request can also be made by completing a Missouri AMBER Alert Abduction Form on the Missouri State Highway Patrol (MSHP) website. The form should then be emailed or faxed to the MSHP communications division; and

(B) Enter the incident into MULES and the National Crime Information Center (NCIC) database.

(5) After receiving confirmation, MSHP Communications Division *[will]* shall then disseminate the alert.

AUTHORITY: section 210.1014, RSMo Supp. [2005] 2020. Original rule filed Oct. 3, 2005, effective March 30, 2006. Amended: Filed Aug. 20, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Director's Office, PO Box 749, Jefferson City, MO 65102-0749. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 5—Nonemergency Medical Transportation
(NEMT) Services

PROPOSED AMENDMENT

13 CSR 70-5.010 Nonemergency Medical Transportation (NEMT) Services. The Department of Social Services is amending the purpose, sections (1), (3), and (4), deleting section (2), and renumbering the remaining sections.

PURPOSE: This proposed amendment eliminates outdated terminology and incorporates all transportation methods available to MO HealthNet participants.

PURPOSE: This rule establishes the criteria by which the *[medical assistance program]* MO HealthNet Division (MHD) reimburses expenses for nonemergency, medically necessary transportation if a participant does not have access to transportation services that are available free of charge.

(1) The *[Missouri Medical Assistance program]* MO HealthNet Division (MHD) or its contractor shall reimburse/s/ eligible participants or nonemergency medical transportation (NEMT) providers for medically necessary transportation only if a participant does not have access to transportation services that are available free of charge.

(A) The participant must have an appointment for any medical treatment that is approved by *[the MO HealthNet Division]* MHD. MHD will not reimburse participants or providers for nonemergency medical transportation to a pharmacy or to any location where the purpose of the nonemergency transportation is to fill a pharmaceutical prescription.

(B) Alternative transportation services that may be provided free of charge include, but are not limited to, private vehicles, volunteers, relatives, a designated legal representative, an individual involved in the resident's care, or transportation services provided by nursing facilities or other residential centers. Participants must not have access to free transportation in order to be eligible for reimbursement under this section.

[(2) Nonemergency medical transportation is not available to a pharmacy.]

*[(3)](2) [MO HealthNet] MHD shall reimburse/s/ the most appropriate and least costly transportation alternative suitable for the participant's medical condition. If a participant *[can use]* has access to private vehicles or less costly public transportation, those alternatives must be used *[before participants can use]* in lieu of more expensive transportation alternatives.*

(A) The alternative transportation services provided *[will]* include:

1. Bus passes/tickets;
2. Taxi/sedans;
3. Wheelchair van;
4. Multi-passenger vans;
5. Stretcher van;
6. Ambulance; *[or]*
7. Gas reimbursement *[.]*; or

8. Volunteer driver program, if approved by the state agency.

(B) Transports are limited to medical treatment within the distance standards set forth in 20 CSR 400-7.095. Exceptions to these standards *[are listed below.]* include:

1. The participant has a previous history of other than routine medical care with the qualified, enrolled medical service provider for a special condition or illness<./>; or

2. The participant has been referred by a Primary Care Provider (PCP) to a qualified, enrolled medical service provider for a special condition or illness<./>; and

3. There is not a routine or specialty care appointment available within thirty (30) calendar days to a qualified, enrolled medical service provider within the travel standards.

[(4)](3) [MO HealthNet] MHD shall reimburse/s/ for the least expensive and most appropriate ancillary services when the medical treatment requires an overnight stay. Ancillary services include meals and lodging.

AUTHORITY: sections 208.201 and 660.017, RSMo [Supp. 2007] 2016. Original rule filed May 16, 2005, effective Oct. 30, 2005. Amended: Filed Feb 1, 2008, effective Aug. 30, 2008. Amended: Filed Aug. 27, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies

or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 25—Physician Program

PROPOSED RULE

13 CSR 70-25.140 Biopsychosocial Treatment of Obesity for Youth and Adults

PURPOSE: *This rule establishes the MO HealthNet payment policy for the biopsychosocial treatment of obesity for youth and adult participants. The goal of this policy is to improve health outcomes for both the youth and adult population by managing obesity and associated co-morbidities.*

PUBLISHER'S NOTE: *The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) **Administration.** The MO HealthNet Division, Department of Social Services, shall administer Biopsychosocial Treatment of Obesity for Youth and Adult participants. Biopsychosocial treatment of obesity services covered and not covered, the limitations under which services are covered, and the maximum allowable fees for all covered services shall be determined by the MO HealthNet Division and shall be included in the *MO HealthNet Physician Provider Manual* and *Behavioral Health Services Manual*, which are incorporated by reference and made part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, at its website at, <http://manuals.momed.com/manuals/>, August 7, 2020. This rule does not incorporate any subsequent amendments or additions. Biopsychosocial treatment of obesity services covered by the MO HealthNet program shall include only those which are shown to be medically necessary.

(A) In the administration of the rule, the following definitions are used:

1. “**Biopsychosocial Treatment of Obesity**” means using a combination of obesity screenings, Medical Nutrition Therapy (MNT), and Intensive Behavioral Therapy (IBT) to promote life style changes leading to weight loss in adult and youth participants.

A. “**Adult Intensive Behavioral Therapy (IBT)**” means obesity management by utilizing intensive multicomponent, behavior-based weight loss interventions that promote and sustain weight loss in adult participants.

B. “**Youth Intensive Behavioral Therapy (IBT)**” means obesity management by utilizing comprehensive, intensive behavior-based weight loss interventions that can include multi-component family-

based behavioral treatment (FBT) interventions tailored to participant needs targeting both the parent/guardian and the youth;

2. “**Body Mass Index (BMI)**” means a measure that relates body weight to height and is calculated by dividing weight in kilograms (kg) by the square of height in meters (expressed in kg/m²).

A. “**Body Mass Index (BMI) Percentile**” means the range of BMI values as expressed in percentiles for age and gender as plotted on the pediatric BMI chart.

B. “**Pediatric Body Mass Index (BMI) Chart**” means a graphic display of normal progressive changes in body mass index for the pediatric population ages two (2) to twenty (20) years of age;

3. “**Consultation**” for the purpose of this rule means the experienced behavioral health clinician who meets provider requirements for Intensive Behavioral Therapy (IBT) outlined in this regulation support and evaluate the newly certified provider’s competency in delivery of behaviorally based intervention for patients diagnosed with obesity;

4. “**Medical Nutrition Therapy (MNT)**” means nutritional diagnostic, therapy, and counseling services furnished by a registered dietitian, and includes a review of nutritional health, eating habits, and development of an individualized nutrition plan; and

5. “**Qualified University**” means a United States regionally accredited college, university, or foreign equivalent, or an academic university-based medical center affiliated with such a university.

(2) **Provider Participation.** To be eligible to provide services for the MO HealthNet Biopsychosocial Treatment of Obesity Program—

(A) All Biopsychosocial Treatment of Obesity service providers must be enrolled as MO HealthNet providers;

(B) **Provider Requirements for MNT.** In order to provide medical nutrition therapy for obesity a provider is required to meet the following criteria:

1. Have a current license to practice as a Licensed Registered Dietitian in the state in which they practice;

2. The Provider will need to obtain one (1) of the following specialist certificates in order to provide MNT for treatment of obesity:

A. Certificate of Training in Adult Weight Management Program;

B. Certificate of Training in Obesity Interventions for Adults;

C. Certificate of Training in Child and Adolescent Weight Management; or

D. Completion of a qualified training program that provides professional medical nutrition therapy training addressing obesity and weight management treatment for participant population(s) served;

3. A licensed provider may provide MNT without a certificate as listed above if the provider meets the following criteria:

A. The provider has maintained a dietitian license credential for a minimum of two (2) years;

B. The provider has documentation of a minimum of two thousand (2,000) hours of specialty practice experience delivering weight management MNT for individuals and/or families and youth with obesity diagnosis within the past five (5) years; and

C. The provider has documentation of a minimum of six (6) hours of obesity or weight management CEUs or professional equivalent post receipt of license credential;

(C) **Provider Requirements for IBT.** In order to provide individual and/or group intensive behavioral therapy (IBT) and/or family-based behavioral treatment (FBT) for youth and adults a provider is required to meet the following criteria:

1. Have a current license to practice as one (1) of the following provider types: psychiatrist, clinical social worker, psychologist, or professional counselor, martial and family therapist, or psychiatric advanced practice registered nurses. Registered dietitians are eligible to provide group IBT and/or FBT;

2. A specialist certification for the participant population(s) served that was attained through completion of a qualified training program that addresses delivery of behaviorally based intervention

for adult and/or youth participants diagnosed with obesity;

3. A licensed provider may provide IBT without a certificate with the following criteria:

A. The licensed provider has maintained one (1) of the aforementioned license credentials for a minimum of two (2) years;

B. The provider has a minimum of two thousand (2,000) hours of specialty practice experience delivering weight management behavioral treatment for individuals and/or families and youth with obesity diagnosis within the past five (5) years; and

C. The provider will have documentation with a minimum of six (6) hours of obesity or weight management CEUs or professional equivalent post receipt of license credential;

(D) Continuing Education Unit (CEU) requirement. The provider must maintain six (6) hours of obesity or weight management CEUs or professional equivalent every two (2) years for the patient population served, either youth or adult or both.

1. The required evaluation and documentation on compliance with certification standards post completion of a qualified training program from an experienced provider does not count toward the six (6) hours of CEUs; and

(E) The provider must meet the provider qualifications outlined in this regulation in order to bill Medicaid for the service.

(3) Qualified Training Program Requirements.

(A) A qualified training program has stated learning objectives for the course content and includes the following:

1. Content-expert instruction and interactive discussion (which may occur face-to-face or by electronic delivery);

2. Course materials developed by professionals with demonstrated expertise in the content area;

3. Content areas cover evidence-based approaches to effectively deliver weight management and obesity treatment for adult and/or youth participants using a family-centered, comprehensive approach; and

4. Sponsored by or conducted in affiliation with a qualified university.

(B) The training program for youth and adults participants shall contain a mix of didactics with simulation work conducted by members of the training center staff.

(C) The qualified training program shall provide a certificate upon completion of the program.

(D) Qualified training programs on IBT and FBT shall provide a means for newly certified behavioral providers to receive evaluation and documentation on compliance with post-program certification standards from an experienced provider using established procedures.

1. After completion of the qualified training program for IBT, the provider is certified for one (1) year.

2. To receive the specialty certificate after one (1) year to continue delivering IBT/FBT, the provider is required to complete clinical consultations with an experienced IBT/FBT provider in accordance with established procedures.

3. The qualified training program will provide those completing the program details on how to obtain a renewal specialist certification and a list of experienced eligible providers to provide consultation and review IBT/FBT competency.

4. Renewal of specialist certification for IBT/FBT will not be issued until the new provider receives documentation on compliance with certification standards from an experienced provider.

(4) Participant Criteria. Any person who is eligible for Title XIX benefits from the Family Support Division and who also meets the following criteria shall be deemed eligible to receive these services:

(A) Be five (5) through twenty (20) years of age for youth services or twenty-one (21) years of age or older for adult services;

(B) Not currently pregnant;

(C) Be obese by meeting the following criteria:

1. For youth participants a body mass index (BMI) percentile

equal to or greater than the ninety-fifth (95th) percentile for age and gender on the pediatric body mass index (BMI) chart.

2. For adult participants a body mass index (BMI) equal to or greater than thirty (30); and

(D) Not concurrently receiving authorization for other MO HealthNet reimbursed weight reduction services.

(5) Biopsychosocial Treatment of Obesity Services.

(A) Biopsychosocial Treatment of Obesity Services provide integrated medical nutrition therapy and behavioral health services, coordinated by the primary care or referring physician, or other licensed practitioner of healing, to facilitate behavior changes to manage obesity and associated co-morbidities. Biopsychosocial treatment of obesity for youth and adult participants requires a referral and a prescribed service in the participant's plan of care from a prescribing provider as part of an office visit for evaluation and management. The prescribing provider must obtain prior authorization from MO HealthNet before the participant starts receiving services. A prescribing provider is defined as a physician or other licensed practitioner of healing arts within the scope of authorized practice under State law.

1. Service structure for youth participants.

A. Biopsychosocial Treatment of Obesity Youth Services include a six (6) month period of intervention that allows a maximum of four (4) hours of individual IBT and twenty-two (22) hours of group IBT for a total of twenty-six (26) hours of IBT and one (1) hour and forty-five (45) minutes of MNT.

B. Upon completion of the month six (6) of services, the dietitian and behavioral health provider shall make recommendations regarding continuation of services after six (6) months based on the continuation criteria set forth by MO HealthNet to the prescribing provider. The prescribing provider shall make the final determination for the participant to continue with the services based on the participant meeting the continuation criteria and request the prior authorization for the additional six (6) months of services.

C. Continuation Criteria for the youth participant months seven (7) through twelve (12) include the following:

(I) The youth participant must meet whichever is lesser of the three (3) youth benchmarks listed below, at the end of month six (6) of services—

(a) A decrease in their BMI chart percentile to less than the ninety-fifth (95th) percentile or five percent (5%) of body weight;

(b) The youth participants that had a BMI percentile at the beginning of treatment >99th percentile, shows a decrease of nine (9) units in percentage above the 95th percentile (as calculated by age and gender norms of the CDC BMI percentile curve); or

(c) Weight stabilization (defined as ± 0.5 BMI units); and

(II) If the youth participant does not meet the weight loss threshold, the prescribing provider shall perform the necessary lab work to rule out the presence of other conditions (e.g., endocrine disorders) that may complicate efforts to reduce weight, and if present, should request to continue with biopsychosocial treatment with medical treatment for the identified condition(s).

D. Continuation of Biopsychosocial Treatment of Obesity Youth services for months seven (7) through twelve (12) include an additional one (1) hour of individual IBT and two (2) hours of group IBT for a maximum of three (3) hours of IBT; and an additional thirty (30) minutes of MNT.

E. Providers are able to structure the services in order to meet the individual needs of the participant within the maximum allowable service structure. The total annual limit for services for the youth participant is twenty-nine (29) hours for IBT and two (2) hours and fifteen (15) minutes for MNT.

F. If the parent or caregiver does not notify the MNT or IBT providers of absences of the patient and have missed four (4) or more sessions, the MNT or IBT provider may reevaluate the need for further services.

2. Service structure for adult participants—

A. Biopsychosocial Treatment of Obesity Adult Services include a six (6) month period of intervention that allows a maximum of three (3) hours of individual behavior therapy and nine (9) hours of group behavior therapy for a total of twelve (12) hours of behavior therapy and one (1) hour forty-five (45) minutes of MNT;

B. Upon completion of the month six (6) of services, the dietitian and behavioral health provider shall make recommendations regarding continuation of services after six (6) months based on the continuation criteria set forth by MO HealthNet to the prescribing provider. The prescribing provider shall make the final determination for the participant to continue with the services based on the participant meeting the continuation criteria and request the prior authorization for the additional six (6) months of services;

C. Continuation Criteria for the adult participant months seven (7) through twelve (12) include the following:

(I) The adult participant must meet the adult benchmark of a reduction in body weight of five percent (5%) at the end of month six (6) of services; and

(II) If the adult participant does not meet the weight loss threshold, the prescribing provider shall perform the necessary lab work to rule out the presence of other conditions (e.g. endocrine disorders) that may complicate efforts to reduce weight, and if present, should request to continue with biopsychosocial treatment with medical treatment for the identified condition(s);

D. Continuation of Biopsychosocial Treatment of Obesity Adult services for months seven (7) through twelve (12) include an additional one (1) hour of individual IBT and two (2) hours of group IBT for a maximum of three (3) hours of IBT; and an additional thirty (30) minutes of MNT;

E. Providers are able to structure the services in order to meet the individual needs of the participant within the maximum allowable service structure. The total annual limit for services for the adult participants is fifteen (15) hours for IBT and two (2) hours fifteen (15) minutes for MNT;

F. A participant that is unable to meet the continuation criteria for the additional six (6) months of Biopsychosocial Treatment of Obesity services has the option, after twelve (12) months, to re-enroll for services if the participant meets the established criteria and has an approved prior authorization; and

G. If the participant does not notify the provider of absences and has missed two (2) or more sessions, the provider may reevaluate the need for further services.

(6) Documentation Requirements for Biopsychosocial Treatment of Obesity.

(A) The participant's treatment record shall contain the following documentation, at a minimum:

1. The referring provider's referral with approval from MO HealthNet for months one (1) through six (6) of services;

2. The medical nutritional assessment completed by the dietitian;

3. The initial behavioral assessment completed by the behavioral health provider;

4. Progress notes that include the following information from each visit:

A. A measured weight and calculated BMI for adult participants or BMI percentile for youth participants.

B. Progress the youth/parent/participant is making towards weight loss goals;

C. Challenges (social determinants) the participant is facing and proposed solutions;

D. Recommendations for treatment/care plans; and

E. Collaborative efforts between the providers delivering primary care, MNT, and IBT;

5. The documented evaluation by the dietitian, behavioral health provider, and referring provider at the end of six (6) months to determine the appropriateness for continuation of services. This should

include documented progress towards weight loss goals, a desire to continue receiving services, and confirmation of met continuation criteria;

6. If applicable the referring provider's referral with approval from MO HealthNet for months seven (7) through twelve (12) of services;

7. Final evaluation at the end of the twelve (12) month period including documented metabolic, social, and behavior change endpoints and identified barriers to maintaining weight loss if the participant qualified for continuation of services; and

8. Once services are completed, the prescribing provider shall maintain a treatment record, incorporating recommendations provided by the dietitian and behavioral health provider as appropriate, which outlines how the participant will maintain the weight loss.

(B) The behavioral health provider and dietitian must complete a six (6) month evaluation and the final evaluation report detailing the amount of weight lost over the treatment period, progress with metabolic, social, and behavior change endpoints, challenges to maintaining weight loss, and any future recommendations for maintaining the weight loss in the context of identified challenges. Both evaluations shall be shared with the referring provider and will become part of the treatment record. The referring provider may incorporate these recommendations and considerations into ongoing care planning and patient management.

(7) Reimbursement Methodology.

(A) MO HealthNet provides reimbursement to enrolled providers providing biopsychosocial treatment of obesity for youth and adults and who are currently licensed, certified, and in good standing with the state.

(B) Reimbursement for services is made on a fee-for-services basis. The maximum allowable fee for a unit of service has been determined by MO HealthNet to be a reasonable fee, consistent with efficiency, economy, and quality of care. Payment for covered services is the lower of the provider's actual billed charge (should be the provider's usual and customary charge to the general public for the service), or the maximum allowable per unit of service. Reimbursement shall only be made for services authorized by MO HealthNet or its designee.

AUTHORITY: sections 208.201 and 660.017, RSMo 2016, and section 208.152, RSMo Supp. 2020. Original rule filed Aug. 27, 2020.

PUBLIC COST: The program is scheduled to begin April 1, 2021. The annual cost for six (6) months of FY21 is estimated to be thirty-six thousand, thirty-eight dollars (\$36,038) with sixteen thousand, four hundred forty dollars (\$16,440) for children and nineteen thousand, five hundred ninety-eight dollars (\$19,598) for adults. The annual cost for FY22 is estimated to be one hundred fifty-eight thousand, one hundred seventy-seven dollars (\$158,177) with fifty-five thousand, eight hundred dollars (\$55,800) for children and one hundred two thousand, three hundred seventy-seven dollars (\$102,377) for adults.

The annual cost for six (6) months of FY 2021 is estimated to be thirty-six thousand, thirty-eight dollars (\$36,038) (children sixteen thousand, four hundred forty dollars (\$16,440) and adults nineteen thousand, five hundred ninety-eight dollars (\$19,598)). The annual cost for FY 2022 is estimated to be one hundred fifty-eight thousand, one hundred seventy-seven dollars (\$158,177) (children fifty-five thousand, eight hundred dollars (\$55,800) and adults one hundred two thousand, three hundred seventy-seven dollars (\$102,377)). Due to the implementation, schedule for the services savings will not be realized in FY21; however the annual cost savings for FY22 is estimated at five hundred seven thousand, one hundred forty-nine dollars (\$507,149) (children ninety-five thousand, one hundred forty-four dollars (\$95,144) and adults four hundred twelve thousand, five dollars (\$412,005)).

PRIVATE COST: *The total annual private cost will be one hundred seventy-six thousand, five hundred sixty-three dollars (\$176,563). The program is scheduled to begin April 1, 2021. FY 2021 six (6) month cost of eighty-eight thousand, two hundred eighty-two dollars (\$88,282). FY 2022 cost of one hundred seventy-six thousand, five hundred sixty-three dollars (\$176,563). The training costs will only be incurred if the provider chooses to become a provider for these services.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I.** **Department Title:** Title 13 - Department of Social Services
Division Title: Division 70 – MO HealthNet Division
Chapter Title: Chapter 25 – Physician Program

Rule Number and Name:	13 CSR 70-25.140 Biopsychosocial Treatment of Obesity for Youth and Adults
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services, MO HealthNet Divison	Annual Cost – FY 21 \$36,038 (6 months) Annual Cost – FY 22 \$158, 177

III. WORKSHEET

The program is scheduled to begin April 1, 2021. The annual cost for six months of FY21 is estimated to be \$36,038 with \$16,440 for children and \$19,598 for adults. The annual cost for FY22 is estimated to be \$158,177 with \$55,800 for children and \$102,377.

IV. ASSUMPTIONS

The annual cost for six months of FY 2021 is estimated to be \$36,038 (children \$16,440 and adults \$19,598). The annual cost for FY 2022 is estimated to be \$158,177 (children \$55,800 and adults \$102,377). Due to the implementation schedule for the services savings will not be realized in FY21; however the annual cost savings for FY22 is estimated at \$507,149 (children \$95,144 and adults \$412,005).

Month	Year	Percent of Eligible Population Enrolled	Number of Children Receiving IBT Services	Cost (\$60 PMPM)	Savings (\$106 PMPM)	Net Savings (Impact)
January	2021	15%	20	\$1,200	\$2,120	(1,200.00)
February	2021	23%	30	\$1,800	\$3,180	(1,800.00)
March	2021	31%	40	\$2,400	\$4,240	(2,400.00)
April	2021	39%	51	\$3,060	\$5,406	(3,060.00)
May	2021	47%	61	\$3,660	\$6,466	(3,660.00)
June	2021	55%	72	\$4,320	\$7,632	(4,320.00)
				\$16,440	\$29,044	(16,440.00)

ADULTS SFY 2021 (6 Months)

Month	Year	Percent of Eligible Population Enrolled	Number of Adults Receiving IBT Services	Cost (\$41 PMPM)	Savings (\$206 PMPM)	Net Savings (Impact)
January	2021	15%	34	\$1,394	\$7,004	(1,394.00)
February	2021	23%	52	\$2,132	\$10,712	(2,132.00)
March	2021	31%	71	\$2,911	\$14,626	(2,911.00)
April	2021	39%	89	\$3,649	\$18,334	(3,649.00)
May	2021	47%	107	\$4,387	\$22,042	(4,387.00)
June	2021	55%	125	\$5,125	\$25,750	(5,125.00)
				\$19,598	\$98,468	(19,598.00)

TOTAL CHILDREN AND ADULTS SFY 2021

\$36,038

(36,038.00)

(First 6 months of 'Year 1')

CHILDREN SFY 2022 (Year 1 and Year 2 Services)

Month	Year	Percent of Eligible Population Enrolled	Number of Children Receiving IBT Services	Cost (\$60 PMPM July - Dec) (\$22 PMPM Jan - June)	Savings (\$106 PMPM)	Net Savings (Impact)
July	2021	63%	82	\$4,920	\$8,692	3,772.00
August	2021	71%	92	\$5,520	\$9,752	4,232.00
September	2021	79%	103	\$6,180	\$10,918	4,738.00
October	2021	87%	113	\$6,780	\$11,978	5,198.00
November	2021	95%	124	\$7,440	\$13,144	5,704.00
December	2021	100%	130	\$7,800	\$13,780	5,980.00
January	2022	100%	130	\$2,860	\$13,780	10,920.00
February	2022	100%	130	\$2,860	\$13,780	10,920.00
March	2022	100%	130	\$2,860	\$13,780	10,920.00
April	2022	100%	130	\$2,860	\$13,780	10,920.00
May	2022	100%	130	\$2,860	\$13,780	10,920.00
June	2022	100%	130	\$2,860	\$13,780	10,920.00
				\$55,800	\$150,944	95,144.00

ADULTS SFY 2022 (Year 1 and Year 2 Services)

Month	Year	Percent of Eligible Population Enrolled	Number of Adults Receiving IBT Services	Cost (\$41 PMPM July - Dec) (\$22 PMPM Jan - June)	Savings (\$206 PMPM)	Net Savings (Impact)
July	2021	63%	144	\$5,904	\$29,664	23,760.00
August	2021	71%	162	\$6,642	\$33,372	26,730.00
September	2021	79%	180	\$7,380	\$37,080	29,700.00
October	2021	87%	198	\$8,118	\$40,788	32,670.00
November	2021	95%	217	\$8,897	\$44,702	35,805.00
December	2021	100%	228	\$9,348	\$46,968	37,620.00
January	2022	100%	228	\$9,348	\$46,968	37,620.00
February	2022	100%	228	\$9,348	\$46,968	37,620.00
March	2022	100%	228	\$9,348	\$46,968	37,620.00
April	2022	100%	228	\$9,348	\$46,968	37,620.00
May	2022	100%	228	\$9,348	\$46,968	37,620.00
June	2022	100%	228	\$9,348	\$46,968	37,620.00
				\$102,377	\$514,382	412,005.00

TOTAL CHILDREN AND ADULTS SFY 2022**\$158,177****(\$507,149)**

(Second 6 months of 'Year 1' and First 6 months of 'Year 2')

**FISCAL NOTE
PRIVATE COST**

- I.** **Department Title:** Title 13 – Department of Social Services
Division Title: Division 70 – MO HealthNet Division
Chapter Title: Chapter 25 – Physician Program

Rule Number and Title:	13 CSR 70-25.140 Biopsychosocial Treatment of Obesity for Youth and Adults
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
30	Intensive Behavioral Therapy Providers	\$164,303
20	Medical Nutrition Therapy-Registered Dietitians	\$12,260

III. WORKSHEET

The total annual private cost will be \$176,563. The program is scheduled to begin January 1, 2021. FY 2021 six month cost of \$88,282. FY 2022 cost of \$176,563. The training costs will only be incurred if the provider chooses to become a provider for these services.

IV. ASSUMPTIONS

Cost for Training providers to deliver family-based behavioral treatment for obesity.

Training and Supervision by Subject matter experts	\$50,502
Materials expense	\$2,250
Meeting expense	\$13,515
CEU	\$15,750
Annual continuing education	\$1,368
Travel, lodging and meals	\$13,620
Administration (maintain registry, recruitment, Website content, electronic management, Overhead)	\$67,298
Total Cost	\$164,303

Cost to obtain Certificate in Training for Adult Weight Management or Certificate in Training for Child and Adolescent Weight Management.

Registration Fee	\$7,400
Travel, lodging and meals	\$4,860
Total Cost	\$12,260

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 100—Notary Commissions

PROPOSED RULE

15 CSR 30-100.005 Notary Complaint Process

PURPOSE: This rule lays out the process for filing a complaint against a notary.

(1) A complaint may be filed by an individual or by the Notary Commission Unit. All complaints must be—

(A) In writing and signed;

(B) Submitted to the Notary Commission Unit either by mail to commissions@sos.mo.gov or PO Box 784, Jefferson City, MO 65101;

(C) At a minimum, the complaint must contain the following information:

1. Circumstances surrounding the situation; and

2. The notary's name, commission number (if known), and the county in which the alleged wrong doing allegedly took place;

(D) The complaint should include, if known, the names and contact information of any witnesses or parties; including addresses and telephone number, all documents related to the transaction; including copies of the notarized document in question, and any police report filed or investigative information if referred by another agency, and any contact information for legal representative;

(E) Upon receipt of the complaint the Notary Commission Unit will review the matter and determine if further action is required;

(F) If further action is required, the Notary Commission Unit will notify the notary and may request additional information from the notary;

(G) A notary has thirty (30) days from receipt of such notification from the Notary Commission Unit in which to respond. Failure to respond shall constitute grounds for suspension of the notary commission until compliance with the request is met;

(H) The Notary Commission Unit will review the response from the notary, and if necessary, make follow-up request for information;

(I) Upon completion of their review, the Notary Commission Unit will forward the matter to the Director of Business Services or their designee who will review the matter to determine appropriate action;

(J) Upon a decision by the Director of Business Services or their designee, the complainant and notary shall be notified of the decision made; and

(K) If the action taken by the Director of Business Services or their designee is to suspend or revoke the notary's commission, the notary may appeal such decision as outlined under the rules.

AUTHORITY: sections 486.815.1 and 486.830, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Original rule filed Aug. 31, 2020.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 100—[Secretary of State—] Notary Commissions

PROPOSED AMENDMENT

15 CSR 30-100.010 Approval, Revocation, and[/or] Suspension of Notary Commission. The secretary is amending the chapter title to remove the duplicative term, revising the title, and adding a section (3).

PURPOSE: This amendment updates the chapter by removing the duplicative term "Secretary of State", adds "Approval" to the section and adds a new section.

(3) An individual who has been convicted of a felony involving dishonesty or moral turpitude, committed in the last five (5) years, will be denied approval to be a notary commission.

AUTHORITY: sections [486.385.2, RSMo 2016] 486.605 and 486.815.1, RSMo Supp. 2020. Original rule filed Dec. 16, 1985, effective April 11, 1986. Amended; Filed April 17, 2017, effective Oct. 30, 2017. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 100—[Secretary of State—] Notary Commissions

PROPOSED AMENDMENT

15 CSR 30-100.015 Request for Hearing on Suspension or an Appeal on a Denial of an Application. The secretary is updating the title of the rule and chapter and adding a new section (5).

PURPOSE: This proposed amendment adds a denial of an application to the reasons one can request a hearing.

(5) An applicant who has been denied a notary commission may appeal the denial to the Director of Business Services or his or her designee. This appeal does not include a right to a hearing.

AUTHORITY: section [486.385.2,] 486.815.1, RSMo [2016] Supp. 2020. Original rule filed April 17, 2017, effective Oct. 30, 2017. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Notary Use of Electronic Signatures and Seals

PROPOSED RESCISSION

15 CSR 30-110.010 Electronic Notary Definitions. This rule provided definitions for electronic notarization.

PURPOSE: This rule is being rescinded because it no longer is needed since the legislatures passed a new statute that includes definitions.

AUTHORITY: section 486.275, RSMo 2016. Emergency rule filed Dec. 21, 2016, effective Dec. 31, 2016, expired June 28, 2017. Original rule filed Dec. 21, 2016, effective June 30, 2017. Rescinded: Filed Aug. 31, 2020.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Notary Use of Electronic Signatures and Seals

PROPOSED RESCISSION

15 CSR 30-110.020 Electronic Signatures and Seals. This rule outlined the process for the use of electronic signatures and seals.

PURPOSE: This rule is being rescinded because it no longer is needed since the legislatures passed a new statute on electronic notarization.

AUTHORITY: section 486.275, RSMo 2016. Emergency rule filed Dec. 21, 2016, effective Dec. 31, 2016, expired June 28, 2017. Original rule filed Dec. 21, 2016, effective June 30, 2017. Rescinded: Filed Aug. 31, 2020.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization

PROPOSED RULE

15 CSR 30-110.030 Remote Online Notarization (RON) Approval

PURPOSE: This rule provides the process that vendors must go through to have their software approved for use by electronic notaries in Missouri.

(1) Vendors wishing to have their software approved for use by electronic notaries in Missouri must make an application to do so to the Commission Unit. The information on the application must include:

- (A) Name of the vendor's company;
- (B) Name of the software to be used;
- (C) Name of contact to perform demonstration of software;
- (D) Contact information for customer inquiries; and
- (E) List of other states the software is approved in.

(2) Upon filing of an application, the Commission Unit will review the software for compliance.

(3) Each software requesting approval must undergo a live demonstration by the Commission Unit.

(4) Once the Commission Unit has determined the software meets compliance, a certificate of acceptability will be issued to the vendor.

(5) A list of all approved software will be published on the Missouri Secretary of State's (SOS) website.

AUTHORITY: section 486.1110, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Original rule filed Aug. 31, 2020.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization

PROPOSED RULE

15 CSR 30-110.040 Remote Online Notarization (RON) Criteria

PURPOSE: This rule states the criteria that remote online notary (RON) must meet for use by electronic notaries in Missouri.

(1) Remote online notary (RON) must meet the following RON Credential Analysis and Authentication to be approved for use in Missouri:

(A) The software must allow for at least two (2) types of the following authentications as described in section 110.050, RSMo:

1. Credential Analysis of Government Issued Identification;
2. Dynamic Knowledge-Based Authentication; and
3. Biometrics;

(B) The software must provide for a live session using audio-video communication integrated with electronic document processing as described in section 110.060, RSMo;

(C) The software must be able to capture the necessary details for the notary to keep an accurate record of the transaction as described in section 110.070, RSMo; and

(D) The software must provide an audit trail for each session as described in section 110.080, RSMo.

AUTHORITY: section 486.III0, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Original rule filed Aug. 31, 2020.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization

PROPOSED RULE

15 CSR 30-110.050 Remote Online Notarization (RON) Credentials

PURPOSE: this rule sets out the credentials that remote online notary (RON) must meet for use by electronic notaries in Missouri.

(1) Remote Online Notarization (RON) providers must use automated software processes to aid the notary in verifying each principal's identity.

(2) The credential must pass an authenticity test, consistent with sound commercial practices that—

(A) Uses appropriate technology to confirm the integrity of visual, physical, or cryptographic security features;

(B) Uses appropriate technology to confirm that the credential is not fraudulent or inappropriately modified;

(C) Uses information held or published by the issuing source or authenticity source(s), as available, to confirm the validity of credential details; and

(D) Provides the output of the authenticity to the notary.

(3) The credentials analysis procedure must enable the notary to visually compare both of the following for consistency:

(A) The information and photo on the presented credential image; and

(B) The principal as viewed by the notary in real time through the audio/video system.

(4) Credentials must be a government issued document meeting the requirements of the state that issued the document, may be imaged, photographed, and video recorded under state and federal law, and can be subject to credential analysis.

(5) The credential image capture procedure must confirm that—

(A) The principal is in possession of that credential at the time of the notarial act;

(B) That the credential image submitted for analysis has not been manipulated; and

(C) The credential image matches the credential in the principals possession.

(6) The following general principles should be considered in the context of image resolution:

(A) The captured image resolution should be sufficient for the service provider to perform credential analysis per the requirements above;

(B) The image resolution should be sufficient to enable visual inspection by the notary, including legible text and clarity of photographs, barcodes, and other credential features; and

(C) All images necessary to perform visual inspection and credential analysis must be captured - e.g. U.S. Passport requires identity page; state driver's license requires front and back.

(7) A Dynamic Knowledge-Based Authentication (KBA) procedure must meet the following requirements:

(A) Each principal must answer questions and achieve a passing score from—

1. At least five (5) questions drawn from public or private data sources;

2. A minimum of five (5) possible answer choices per question;

3. At least four (4) of the five (5) questions answered correctly to pass (a passing score of eighty percent (80%)); and

4. All five (5) questions answered within two (2) minutes.

(B) Each principal must be provided a reasonable number of attempts per signing session.

1. If a principal fails their first quiz, they may attempt up to two (2) additional quizzes within forty-eight (48) hours from the first failure.

2. During any quiz retake a minimum of forty percent (40%), or two (2), of the prior questions must be replaced;

(C) The RON system provider must not include the KBA procedure as part of the video recording or as part of the system provided person-to-person video interaction between the notary and the signatory; and must not store the data or information presented in the KBA questions and answers. However, the output of the KBA assessment procedure must be provided to the notary.

(D) Biometric sensing technology includes, but is not limited to, facial, voice, and fingerprint recognition.

AUTHORITY: section 486.III0, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Original rule filed Aug. 31, 2020.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in

support of or in opposition to this proposed rule with the Office of Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization

PROPOSED RULE

15 CSR 30-110.060 Audio and Video Quality

PURPOSE: This rule sets out the requirements for audio/video quality used by electronic notaries in Missouri.

(1) A reliable Remote Online Notarization (RON) operating model should consist of continuous, synchronous audio and video feeds with good clarity such that all participants can be clearly seen and understood at all times during the notarial act.

(2) Inherent in online audio/video technology is the presence of temporary surges or spikes in quantitative measures like bitrate and/or frequency of communications and no simple technical limits are practical or prudent. Rather, a sounder approach to ensuring reliable real-time communications is to rely on the judgment of the notary to determine the adequacy of the communications and provide direction to terminate the session if those conditions are not met.

(3) The audio/video recording must include the person-to-person interaction required as part of the Notarial Act as defined by the state, must be logically associated to the electronic Audit Trail, and must be capable of being viewed and heard using broadly available audio/video players.

(4) The video recording of the transaction documents executed in the RON process is not required as part of these standards.

AUTHORITY: section 486.1110, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Original rule filed Aug. 31, 2020.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization

PROPOSED RULE

15 CSR 30-110.070 Storage and Retention of Notarial Records

PURPOSE: This rule sets out the requirements for storage and retention of notarial records used by electronic notaries in Missouri.

tion of notarial records used by electronic notaries in Missouri.

(1) Remote Online Notarization (RON) systems.

(A) RON must—

1. Facilitate the process of collecting the required notarial records;

2. Provide a method by which a notary can access and/or export the notarial records; and

3. Provide automated backup of the notarial records and audio/video recording to ensure redundancy.

(B) RON technology solution must employ data protection safeguards consistent with generally accepted information security standards.

(C) Retention of the audio/video recording and notarial records by either the notary or their designated third party, as directed by the notary, must adhere to the laws, directives, rules, and regulations of the state.

(2) A notary must retain an electronic journal and an audio-visual recording created under Chapter 486, RSMo in a computer or other electronic storage device that protects the journal and recording against unauthorized access by password or cryptographic process.

(A) The recording must be created in an industry standard audio-visual file format and must not include images of any electronic record on which the remotely located individual executed an electronic signature.

(B) An electronic journal must be retained for at least ten (10) years after the last notarial act chronicled in the journal. An audio-visual recording must be retained for at least the ten (10) years after the recording is made.

(C) A notary must take reasonable steps to ensure that a backup of the electronic journal and audio-visual recording exists and is secure from unauthorized use.

AUTHORITY: sections 486.1110 and 486.1195, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Original rule filed Aug. 31, 2020.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization

PROPOSED RULE

15 CSR 30-110.080 Audit Trail

PURPOSE: This rule states the requirements for the remote online notarization (RON) audit trail for use by electronic notaries in Missouri.

(1) Significant actions completed as part of a RON signing session should be recorded in an audit trail. Each entry in this audit trail should clearly indicate the action performed (e.g. addition of an

electronic signature), the date/time of its performance (e.g., Coordinated Universal Time, 2018-08-21 01:14:22 UTC), the name of the party performing the action (e.g. John Doe), and the IP address of the party performing the action.

(2) Each document completed as part of a RON should be electronically signed and rendered Tamper-Evident.

AUTHORITY: section 486.III.O, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Original rule filed Aug. 31, 2020.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure Chapter 61—Licensing Rules for Family [Day] Child Care Homes

PROPOSED AMENDMENT

19 CSR 30-61.010 Definitions. The department is amending the chapter name, deleting sections (4), (7)-(8), (17)-(19), and (25); adding new sections (5)-(7), (10), (14)-(16), (18)-(20), (23), and (25); amending previously numbered sections (3), (5)-(6), (9)-(10), (12), (16), (20), and (23); and renumbering sections as appropriate.

PURPOSE: This amendment updates the existing definitions and terms used in the licensing rules for family child care homes and adds new definitions for child care facility, child care staff member, group size, homeless children and youths, hourly care facility, legal entity, licensee, and Montessori school. This amendment also deletes the terms "review board" and "related," places the definitions in correct alphabetical order, and updates the term "day care" to "child care" in the chapter name and across several definitions.

(3) Caregiver is the child care provider, other child care staff member, or an assistant.

(4) Child care provider or provider is the person(s) licensed or required to be licensed under section 210.221, RSMo in order to establish, conduct or maintain a child care facility. This person(s) shall have the following rights and responsibilities as determined by the division:

(A) Ultimate responsibility for making and implementing decisions regarding the operation of the facility; and

(B) Ultimate financial control of the operation of the facility.]

(5)(4) A child [day] care center or center, whether [known or incorporated under another title or name] owned by a sole proprietor or other legal entity, is a child care program conducted in a location other than the provider's permanent residence, or separate from the provider's living quarters, where care is provided for chil-

dren [not related to the child care provider] for any part of the twenty-four- (24)-/- hour day.

(5) A child care facility or facility is a family child care home, group child care home, or child care center.

(6) Child care provider, group child care home provider, or provider is the person(s) licensed or required to be licensed under section 210.221, RSMo in order to establish, conduct, or maintain a child care facility. This person(s) shall have the following rights and responsibilities as determined by the division:

(A) Ultimate responsibility for making and implementing decisions regarding the operation of the facility; and

(B) Ultimate financial control of the operation of the facility.

(7) Child care staff member is a child care provider; persons employed by the child care provider for compensation, including contract employees or self-employed individuals; individuals or volunteers whose activities involve the care or supervision of children for a child care provider or unsupervised access to children who are cared for or supervised by a child care provider; or individuals residing in a family child care home who are seventeen (17) years of age and older;

[(6)](8) Day care or child care is care of a child away from his/her own home for any part of the twenty-four- (24)-/- hour day for compensation or otherwise. Day care or child care is a voluntary supplement to parent responsibility for the child's protection, development, and supervision. Day care or child care may be given in a family [day] child care home, group [day] child care home, or [day] child care center.

[(7) A day care facility or facility is a day care home, day care center or group day care home.

(8) Director is the director of the Missouri Department of Health.]

(9) Department is the Missouri Department of Health and Senior Services.

(10) Director is the director of the Missouri Department of Health and Senior Services.

[(10)](11) A family [day] child care home or home, whether [known or incorporated under another title or name] owned by a sole proprietor or other legal entity, is a child care program where care is given by a person licensed as a family [day] child care home provider for no more than ten (10) children [not related to the provider] for any part of the twenty-four- (24)-/- hour day. The provider may be licensed to operate no more than one (1) family [day] child care home or group [day] child care home.

[(11)](12) Graded boarding school is a public or private school which provides education in at least the first through the sixth grade and which provides lodging and meals for the pupils for the standard school term.

[(12)](13) A group [day] child care home, whether [known or incorporated under another title or name] owned by a sole proprietor or other legal entity, is a child care program where care is given by a person licensed as a group [day] child care home provider for [eleven (11), but] not more than twenty (20),/- children [not related to the child care provider,] for any part of the twenty-four- (24)-/- hour day. A group [day] child care home shall be in a location other than the provider's permanent residence or separate from the provider's living quarters. The provider may be licensed to operate no more than one (1) group [day] child care home or family

[day] child care home.

(14) Group size is the maximum number of children assigned to a specific staff member or group of staff members, occupying an individual classroom or well-defined physical space within a large room.

(15) Homeless children and youths—

(A) Are individuals who lack a fixed, regular, and adequate nighttime residence; and

(B) Include:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

4. Migratory children who qualify as homeless because the children are living in the circumstances described above.

(16) An hourly care facility is a facility licensed exclusively for irregular, intermittent, hourly care.

[(13)](17) Infant is any child under twelve (12) months of age.

(18) Legal entity is the lawful or legally standing individual, corporation, sole proprietorship, general partnership, limited partnership, limited liability partnership, limited liability company, limited liability limited partnership, partnership, charity, and other forms of organization that has the legal capacity to enter into agreements, contracts, assume obligations, incur and pay debts, sue and be sued in its own right, and that is accountable for illegal activities.

(19) Licensee is an individual or other legal entity who has been granted a child care license by the Department of Health and Senior Services.

(20) Montessori school is a child care program that subscribes to Maria Montessori's educational philosophy and is accredited by the American Montessori Society or the Association Montessori Internationale.

[(14)](21) Night is the part of the twenty-four- (24-)*[-]* hour day between 9:00 p.m. and 6:00 a.m.

[(15)](22) Nursery school is a program operated by a person or organization with the primary function of providing an educational program for preschool-age children for no more than four (4) hours per child per day.

(23) Premises is a house(s), dwelling(s), or building(s) and its adjoining land.

[(16)](24) Preschool child is any child two through five (2*[-]*5) years of age who is not in kindergarten *[for five (5)-year-old children.]*

[(17)] Premises is a house(s), dwelling(s) or building(s) and its adjoining land.

(18) Related is any of the following relationships by marriage, blood or adoption between the provider and the children in care: parent, grandparent, great-grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, niece, nephew or first cousin.]

(25) A religious organization is—

(A) A church, synagogue, or mosque;

(B) An entity that qualifies for federal tax exemption status as a not-for-profit religious organization under Section 501(c)(3) of the Internal Revenue Code; or

(C) An entity whose real estate on which the child care facility is located is exempt from taxation because it is used for religious purposes.

[(19)] Review board is the Child Care Licensing Review Board.]

[(20)](26) School-age child is any child five (5) years of age or older who is in kindergarten or *[elementary school]* above.

[(21)](27) School system is a program established primarily for education and which meets the following criteria:

(A) Provides education in at least the first through the sixth grade; and

(B) Provides evidence that the school system's records will be accepted by a public or private school for the transfer of any student.

[(22)](28) Staff/child ratio is the number of caregivers required in relation to the number of children in care.

[(23)](29) Summer camp is a program operated from May to September by a person or organization with the primary function of providing a summer recreational program for children *[no younger than]* five (5) years of age *or older* and providing no *[day]* child care for children younger than five (5) years of age in the same building or in the same outdoor play area.

[(24)](30) Toddler is any child *[between]* twelve to twenty-four (12*[-]*24) months of age.

[(25)] A well-known religious order is defined as—

(A) An entity that qualifies for federal tax exemption status as a not-for-profit religious organization under Section 501(c)(3) of the Internal Revenue Code of 1954; and

(B) An entity whose real estate on which the child care facility is located is exempt from taxation because it is used for religious purposes.]

AUTHORITY: section 210.221.1(3), RSMo Supp. *[1993]* 2020. This rule previously filed as 13 CSR 40-61.010 and 19 CSR 40-61.010. Original rule filed in 1956. Amended: Filed Dec. 19, 1975, effective Jan. 1, 1976. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days

after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure

Chapter 61—Licensing Rules for Family

[Day] Child Care Homes

PROPOSED AMENDMENT

19 CSR 30-61.045 [Initial Licensing Information] Licensing Process. The department is amending the chapter name and rule title, removing sections (1) and (2), adding new sections (1) through (21), and removing the old license application form and replacing it with a new one incorporated by reference.

PURPOSE: This amendment removes exemptions for related children, revises procedures for the child care licensing process, and updates the license application form. The initial licensing process will no longer require an initial inquiry to the department; background screening requirements have been updated to comply with changes to section 210.1080, RSMo; a requirement for posting contact information of key individuals has been added; and references to license renewal and change of owner processes have been removed. This amendment also replaces the term "day care" with "child care" throughout the rule and the chapter title.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Persons Subject to Licensure.

(A) Any person(s) planning to offer day care for more than four (4) unrelated children at any one (1) time, except those coming under the exceptions of the law, shall apply for licensure and meet the requirements of the licensing rules before accepting more than four (4) unrelated children for care.

(B) Licensing rules shall not apply to children related to the provider as defined in section 210.211, RSMo. In order to document the exemption for related children, identifying information shall be on file at the home on related children as required by 19 CSR 30-61.135 Admission Policies and Procedures.

(C) In a family day care home owned by a legal entity the exemption for related children shall apply. If more than one (1) member of the legal entity is responsible for the daily operation of the family day care home, the exemption for related children shall only be granted for children who are related to one (1) of the members.

(2) Licensing Process.

(A) Upon receipt of an inquiry regarding day care licensing, an applicant shall complete the inquiry orientation available on the department's website to learn about the licensing process and rules. An application for licensure shall be provided by the department upon documentation of completion of the inquiry orientation.

(B) Upon receipt of a completed Application For License To Operate Child Care Home form, a licensing inspection shall be made. See Application For License To Operate Child Care Home form, promulgated as of 2017, incorporated by refer-

ence in this rule, as published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php>. This rule does not incorporate any subsequent amendment or additions. If licensing rules are not met within six (6) months, the application shall be void and another application shall be filed.

(C) The licensing process shall include an inspection of the entire premises of the day care home by the licensing representative.

(D) Prior to the granting of a license, the following shall be submitted by the applicant:

1. A sketch or diagram of the home showing the arrangement of the rooms, including the location of toilet and handwashing facilities, the kitchen and the doors. The licensing representative and the applicant shall measure the home jointly;

2. A sketch or diagram of the outdoor play area and placement of equipment, indicating if the area is fenced. The licensing representative and the applicant shall measure the area jointly;

3. Written policies pertaining to the program goals, admission, care, and discharge of children;

4. A schedule of daily activities for children;

5. A sample weekly menu;

6. An itemized list of available materials and equipment to be used by children;

7. A written narrative description of child care practices and concepts, including discipline and guidance policies;

8. Written policies and procedures which clearly establish job responsibilities and lines of administrative authority;

9. Listing of all household members;

10. Sample forms used, other than those supplied by the department;

11. Evidence of compliance with local or state, or both, sanitation requirements;

12. Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing if a family day care home is owned by a legal entity;

13. Required information for assistants;

14. A written disaster emergency plan;

15. A written safe sleep policy, if licensed to care for children under twelve (12) months of age;

16. A completed Safety Plan form, if a sex offender resides within one thousand (1,000) feet of the family day care home. See Safety Plan form, promulgated as of 2018 and incorporated by reference in this rule, as published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php>. This rule does not incorporate any subsequent amendments or additions; and

17. Other information required by the department to make a determination regarding licensure of the family day care home.

(E) Prior to the granting of a license, the provider shall meet the requirements of 19 CSR 30-61.086 Fire Safety.

(F) The facility owner(s), board president, or chairperson, and all members of an LLC, shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to initial issuance of the license.

(G) Child care staff members shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to initial issuance of the license. Background screening information received by the provider shall be retained in the individual's file in a confidential manner and available for review.

(H) Medical examination reports for the provider and child care assistants as required by 19 CSR 30-61.125 Medical Examination Reports, shall be on file at the home and available for review.

(I) Medical examination reports shall be on file at the home within thirty (30) days following the admission of each infant, toddler, or preschool child as required by 19 CSR 30-61.125 Medical Examination Reports. A health report for school-age children shall be on file as required by 19 CSR 30-61.125.

(J) Enrollment information for each child shall be on file at the home as required by 19 CSR 30-61.135 Admission Policies and Procedures.

(K) Identifying information shall be on file at the home for each child to be cared for who is related to the provider and not living in the home as required by 19 CSR 30-61.135 Admission Policies and Procedures.

(L) The child care provider shall not provide care for more than four (4) unrelated children until the home is in compliance with state statutes and licensing rules for family day care homes.

(M) The official license shall be granted for up to two (2) years and may be renewed upon reapplication and inspection. The official license shall be posted near the entrance of the home where it may be seen easily by parents or others who visit.

(N) The license shall not be transferable and shall apply only to the person(s) and address shown on the license.

(O) A change of ownership occurs when the facility is sold to a new owner, the owner changes legal entity status, or the ownership is transferred to another legal entity. The licensee shall notify the department prior to the date the ownership changes.

(P) The department may grant a short-term license to the new owner, if required documentation for licensure has been submitted to the department. The new owner shall submit the following in advance of the change of ownership:

1. An application for licensure;
2. Statement of intent signed by the previous owner(s) and new owner(s) that documents the date the change of ownership is expected to occur;
3. Listing of all household members;
4. A document indicating the organizational structure of the facility's operation; and

5. Qualifying background screening results for facility owner(s), board president, or chairperson, all members of an LLC, and child care staff members, on file as required by 19 CSR 30-63.020 General Requirements.

(Q) If there is a change of ownership of a family day care home, the new owner(s) shall meet the requirements of the current licensing rules. A licensing inspection shall be made as required by 19 CSR 30-61.045 Initial Licensing Information.

(R) The license shall be the property of the department and shall be subject to revocation by the director upon failure of the provider to comply with state statutes and licensing rules for family day care homes. The license shall be returned to the department if revoked not renewed, or if the owner closes the facility.

(S) If a facility's license is revoked or denied due to failure to comply with state statutes and licensing rules, the department shall not accept a subsequent application from the provider for that facility within twelve (12) months after the effective date of revocation or denial or within twelve (12) months after all appeal rights have been exhausted, whichever is later.

(T) The number and ages of children a family day care home is authorized to have in care at any one time shall be

specified on the license and shall not be exceeded except as permitted within these rules.

(U) All day care provided on the premises of a licensed family day care home shall be in compliance with the licensing rules and the conditions specified on the license.

(V) The provider shall permit the department access to the facility, premises, and records during all inspections.

(W) A licensed child care provider shall not deny a child admission to, or the benefits of, any program provided by the family day care home on the basis of race, sex, religion, or national origin.]

(1) An applicant shall complete the licensing orientation available on the department's website to learn about the licensing process and rules.

(2) Upon receipt of a completed *Application For License To Operate a Child Care Facility* form, a licensing inspection shall be made. See *Application For License To Operate a Child Care Facility* form, promulgated as of August 2020, incorporated by reference in this rule, as published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php>. This rule does not incorporate any subsequent amendment or additions. If licensing rules are not met within six (6) months, the application shall be void and another application shall be filed.

(3) The licensing process shall include an inspection of the entire premises of the child care home by the licensing representative.

(4) Prior to the granting of a license, the following shall be submitted by the applicant:

(A) A sketch or diagram of the home showing the arrangement of the rooms, including the location of toilet and handwashing facilities, the kitchen, and the doors. The licensing representative and the applicant shall measure the home jointly;

(B) A sketch or diagram of the outdoor play area and placement of equipment, indicating if the area is fenced. The licensing representative and the applicant shall measure the area jointly;

(C) Written policies provided to parents shall include:

1. Program goals;
2. Admission, care, and discharge of children;
3. Narrative description of child care practices and concepts; and

4. Discipline and guidance policies;

(D) A schedule of daily activities for children;

(E) A sample weekly menu;

(F) An itemized list of available materials and equipment to be used by children;

(G) Written policies and procedures which clearly establish job responsibilities and lines of administrative authority;

(H) Listing of all household members and assistant(s);

(I) Sample forms used, other than those supplied by the department;

(J) Evidence of compliance with local or state, or both, sanitation requirements;

(K) Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing if a family child care home is owned by a legal entity;

(L) Required information for assistants;

(M) A written disaster and emergency plan;

(N) A written safe sleep policy, if licensed to care for children under twelve (12) months of age;

(O) A completed safety plan, if a sex offender resides within one thousand (1,000) feet of the family child care home; and

(P) Other information required by the department to make a determination regarding licensure of the family child care home.

(5) Prior to the granting of a license, the provider shall meet the requirements of 19 CSR 30-61.086 Fire Safety.

(6) The child care provider and child care staff members, as defined by 19 CSR 30-63.010 Definitions, shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to initial issuance of the license.

(7) Background screening information received by the provider shall be retained in the individual's file in a confidential manner and available for review.

(8) Medical examination reports for the provider and child care assistant(s) as required by 19 CSR 30-61.125 Medical Examination Reports, shall be on file at the home and available for review.

(9) Medical examination reports shall be on file at the home within thirty (30) days following the admission of each infant, toddler, or preschool child as required by 19 CSR 30-61.125 Medical Examination Reports. A health report for school-age children shall be on file as required by 19 CSR 30-61.125.

(10) Enrollment information for each child shall be on file at the home as required by 19 CSR 30-61.135 Admission Policies and Procedures.

(11) Prior to the granting of a license, the child care provider shall be in compliance with state statutes and licensing rules for family child care homes.

(12) Once granted, the license shall be posted near the entrance of the home where it may be seen easily by parents or others who visit.

(13) The name(s), address(es), and telephone number(s) shall be posted prominently near the license for all of the following, as applicable:

- (A) The child care provider(s);
- (B) Facility owner(s);
- (C) Board president or chairperson; or
- (D) All manager(s) and/or member(s).

(14) The license shall not be transferable and shall apply only to the person(s) and address shown on the license.

(15) The license shall be the property of the department and shall be subject to discipline by the director upon failure of the provider to comply with state statutes and/or licensing rules for family child care homes.

(16) If a facility's license is revoked or denied due to failure to comply with state statutes and/or licensing rules, the department shall not accept a subsequent application from the provider for that facility within twelve (12) months after the effective date of revocation or denial or within twelve (12) months after all appeal rights have been exhausted, whichever is later.

(17) The license shall become null and void if—

- (A) Revoked;
- (B) The owner closes the facility;
- (C) The facility changes ownership; or
- (D) In the case of licenses not held by legal entities, the death of the licensee(s).

(18) The number and ages of children a family child care home is authorized to have in care at any one time shall be specified on

the license and shall not be exceeded except as permitted within these rules.

(19) All child care provided on the premises of a licensed family child care home shall be in compliance with the licensing rules, the conditions specified on the license, and the conditions of any variances granted to the licensee.

(20) The provider shall permit the department access to the facility, premises, and records during all inspections.

(21) The provider shall not deny a child admission to, or the benefits of, any program provided by the family child care home on the basis of race, sex, religion, or national origin.

*AUTHORITY: sections 210.221.1(3)[, RSMo 2016,] and [section] 210.1080, RSMo Supp. [2018] 2020. This rule previously filed as 13 CSR 40-61.020, 13 CSR 40-61.045, and 19 CSR 40-61.045. Original rule filed March 29, 1991, effective Oct. 31, 1991. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Aug. 31, 2020.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 61—Licensing Rules for Family [Day] Child Care Homes

PROPOSED AMENDMENT

19 CSR 30-61.055 [License Renewal] Annual Requirements. The department is amending the chapter name and rule title, deleting sections (1) through (4), and adding new sections (1) and (2).

PURPOSE: The amendment replaces the license renewal process with a similar annual compliance process. The amendment adds the new Annual Declaration for Licensed Facilities form.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) An application for license renewal shall be filed at least sixty (60) days prior to expiration of the license. In addition, the following information is required:

- (A) Evidence of compliance with a fire and safety inspection as conducted by the State Fire Marshal or his/her*

designee;

(B) Evidence of compliance with local, state, or both, sanitation requirements;

(C) Medical examination reports on file at the home as required by 19 CSR 30-61.125 Medical Examination Reports;

(D) A health report on file at the home for each school-age child in care as required by 19 CSR 30-61.125 Medical Examination Reports;

(E) Enrollment information on file at the home for each child in care as required by 19 CSR 30-61.135 Admission Policies and Procedures;

(F) Identifying information on file at the home regarding each child in care who is related to the provider and not living in the home as required by 19 CSR 30-61.135 Admission Policies and Procedures;

(G) A current list of available equipment;

(H) Materials and information which have changed since the previous licensing period;

(I) Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing if a family day care home is owned by a legal entity;

(J) A completed Safety Plan form if a sex offender resides within 1,000 feet of the facility. See Safety Plan form, promulgated as of 2018 and incorporated by reference in this rule. As published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php>. This rule does not incorporate any subsequent amendments or additions. If the provider has an existing safety plan a new form is not required. This rule does not incorporate any subsequent amendments or additions; and

(K) A listing of household members.

(2) The child care provider shall conduct a Family Care Safety Registry check for all child care staff members within sixty (60) days prior to the expiration of the license.

(3) Child care staff members shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to renewal of the license.

(4) Upon determination of the applicant's continued compliance with state statutes and licensing rules for family day care homes, an official license shall be granted for up to two (2) years.]

(1) The provider shall submit the following to the department on an annual basis, at least thirty (30) calendar days prior to the anniversary date as printed on the license:

(A) An Annual Declaration for Licensed Facility form, promulgated as of August 2020 and incorporated by reference in this rule. As published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php> indicating the licensee's intent to continue operating a licensed family child care home and agreement to comply with all statutes and department licensing rules;

(B) A current list of available equipment;

(C) A listing of household members and assistant(s); and

(D) A completed safety plan if a sex offender resides within one thousand feet (1,000') of the facility. If the provider has an existing safety plan, a new plan is not required.

(2) The provider shall have the following on file and available for

review:

(A) Evidence of compliance with a fire and safety inspection as conducted by the State Fire Marshal or his/her designee;

(B) Evidence of compliance with local, state, or both, sanitation requirements;

(C) The child care provider shall conduct a Family Care Safety Registry check for all child care staff members within thirty (30) days prior to the anniversary date as printed on the license; and

(D) Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing, if a family child care home is owned by a legal entity.

AUTHORITY: section 210.221.1(3), [RSMo 2016, and section 210.1080,] RSMo Supp. [2018] 2020. This rule previously filed as 13 CSR 40-61.031, 13 CSR 40-61.055, and 19 CSR 40-61.055. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-61.055, effective Dec. 9, 1993. Changed to 19 CSR 30-61.055 July 30, 1998. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities nine thousand seven hundred forty-five dollars and ninety-two cents. (\$9,745.92) annually in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE COST**

- I.** **Department Title:** Title 19 – Department of Health and Senior Services
Division Title: Division 30 – Division of Regulation and Licensure
Chapter Title: Chapter 61 – Licensing Rules for Family Day Care Homes

Rule Number and Name:	19 CSR 30-61.055 Annual Requirements
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimated Cost to Complete Annual Requirements per Provider	Estimated Number of Providers Required to Complete Annual Requirements	Total Estimated Cost of Annual Requirements Across Missouri Annually
\$11.28	864	\$9,745.92

III. WORKSHEET

ESTIMATED TOTAL COST TO COMPLETE ANNUAL REQUIREMENTS	
Total Cost to Complete Annual Requirements	\$11.28
Total Number of Providers Required to Complete Annual Requirements	864
Total Private Cost	\$9,745.92

Methodology: Total Cost to Complete Annual Requirements * Total Number of Providers Required to Complete Annual Requirements = Total Private Cost

ESTIMATED COST TO COMPLETE ANNUAL REQUIREMENTS FOR FACILITIES				
Document	Time Estimate (Hours)	Average Hourly Wage of Missouri	Unemployment, Social Security, Payroll Taxes, and Workers' Comp	Total Cost per Child Care Provider
<i>Annual Declaration for Licensed Facility form</i>	.25	\$13.05	17%	\$3.81
Current list of available equipment	.16	\$13.05	17%	\$2.44
Listing of household members and assistant(s)	.08	\$13.05	17%	\$1.22
Family Care Safety Registry screening results for all child care staff members	.25	\$13.05	17%	\$3.81
TOTALS	.74			\$11.28

Methodology: (Average Hourly Wage * Time Estimate) * Employer Expenses = Total Cost per Child Care Provider

IV. ASSUMPTIONS

1. The average wage comes from the 2018 average wage for Child Care Workers in Missouri available from the Missouri Department of Economic Development (\$11.29) plus estimated inflation. No additions were made to this number for items such as 401k contributions or other fringe benefits because those are not an industry standard for child care workers.
2. Time estimates for the documents that must be completed to meet the annual requirements are estimated by the Department of Health and Senior Services for the minimum amount of time necessary to review, compile and/or update, and submit the necessary documents.

The time estimates seen here are based on the following assumptions:

<i>Annual Declaration for a Licensed Facility</i> form	.025 hours (15 minutes) was allotted for this based on the fact that this is a one-page fillable form requesting identifying information. The provider is required to review, sign, date, and return the form to the department.
Current list of available equipment	.16 hours (10 minutes) was allotted for this because an equipment list is required for initial licensure. Child care providers should routinely update this list and keep it current for insurance and departmental purposes. The department currently requires a list of available equipment at renewal (once every two years).
Listing of household members and assistant(s)	.08 hours (5 minutes) was allotted for this because a listing of household member and assistant(s) is required for initial licensure. Child care providers are currently required to notify the department of any changes in household members and assistant(s). The department currently requires a list of household members and assistant(s) at renewal (once every two years).
Family Care Safety Registry screening results for all child care staff members	.25 hours (15 minutes) was allotted for this based on discussions with Family Care Safety Registry (FCSR) staff about how long it typically takes for a family child care provider when they call to request background screenings.

3. The time estimates only include one staff member because typically only one staff person (e.g. owner, provider, board chairperson, LLC member or designee) completes documentation that is submitted to the department.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 61—Licensing Rules for Family [Day] Child Care Homes

PROPOSED AMENDMENT

19 CSR 30-61.105 The [Day] Child Care Provider and Other [Day] Child Care Personnel. The department is amending the chapter name, rule title, and sections (1), (2), (3), and (4).

PURPOSE: This amendment updates the term “day care” to “child care” in the chapter and rule names and throughout the rule. This amendment also adds a requirement that providers and assistants report suspected child abuse or neglect to DSS Children’s Division; updates general requirements for assistants and background screening requirements for child care staff members; and adds details regarding staff/child ratios.

(1) General Requirements.

(G) The provider shall not be engaged in any other employment while on duty at the family *[day]* child care home.

(H) The provider shall have available a copy of the *Licensing Rules for Family [Day] Child Care Homes in Missouri*. Providers and assistants shall review and be knowledgeable of the rules at the time they begin work, and shall be able to understand and apply the rules which relate to their respective responsibilities.

(I) All child care providers and assistants shall acquaint themselves with the child abuse and neglect law and shall make a report of any suspected child abuse or neglect to the Children’s Division at the toll-free number 1-800-392-3738 or online at <https://apps.dss.mo.gov/OnlineCanReporting/default.aspx>.

(J) The child care provider shall ensure that within seven (7) days of employment or volunteering and before being left alone with children that caregivers receive a facility orientation. The child care provider shall ensure that documentation verifying completion of the facility orientation is maintained and on file for review by the department for each caregiver. The facility orientation shall include:

1. A tour of the facility, indoors and outdoors; and
2. A review of the following:

- A. Licensing rules;
- B. The facility’s license and its limitations, if any;
- C. The facility’s written child care practices, including procedures for medication administration, child illness, discipline, and guidance policies;

- D. The daily schedule;
- E. The assigned duties and responsibilities of staff;

F. The names and ages of the children for whom the staff member will be responsible, including any special health, nutritional or developmental needs;

- G. The location of children’s records;
- H. The facility’s safe sleep policy, if applicable;

I. The facility’s disaster emergency plan and the location of emergency information; and

J. The mandated responsibility to report any suspected child abuse or neglect to the Children’s Division at the toll-free number 1-800-392-3738 or online at <https://apps.dss.mo.gov/OnlineCanReporting/default.aspx>.

(K) The provider, assistant(s), volunteers, or others in the home shall not be under the influence of alcohol or illegal drugs while child care is being provided or in any vehicles used by the program. The child care provider or other child care personnel shall not be in a state of impaired ability due to use of medication while pro-

viding child care.

(L) The department shall evaluate any information received that indicates that the subject of the criminal record review poses a threat to the safety or welfare of children. In addition to those individuals automatically disqualified from presence at a child care facility by 19 CSR 30-63.020 *General Provisions* **040 Background Screening Findings**, the department may also prohibit the presence of any person on the premises of the family *[day]* child care home during child care hours that has a criminal history that the department determines to be evidence that said person poses a threat to the safety and welfare of children.

(M) The provider shall request the results of a criminal background check for child care staff members as required by 19 CSR 30-63.020 *General Requirements*.

(N) Child care staff members shall have qualifying background screening results on file as required by 19 CSR 30-63.020 *General Requirements*.

(O) Child care staff members with disqualifying background screening/s/ results as defined in 19 CSR 30-63.020 *General Requirements* **040 Background Screening Findings**, shall be prohibited from being present on the premises of the facility during child care hours.

(P) A prospective child care staff member may begin work for a child care provider after the criminal background check has been requested from the department; however, pending completion of the criminal background check, the prospective child care staff member shall be supervised at all times by another child care staff member who received a qualifying result on the criminal background check within the past five (5) years.]

(Q) The child care provider shall conduct a Family Care Safety Registry screening prior to employment for any newly hired child care staff member who has a qualifying criminal background check result.

(R) Background screening information received by the provider shall be retained in the individual’s file in a confidential manner and available for review.

(S) If an employee reports licensing deficiencies in the home, the child care provider shall not take any action against the employee because of the report that would adversely affect his/her employment or terms or conditions of employment.

(T) The provider shall have documentation on file at the home of current certification in age-appropriate first aid and cardiopulmonary resuscitation (CPR) training. The training shall be certified by a nationally-recognized organization, such as the American Red Cross, American Heart Association, or an equivalent certification, include an in-person skills assessment, and be approved by the department. At least one (1) caregiver with current certification in age-appropriate first aid and CPR must be on site at all times when children are present. First aid/CPR training may count toward the annual clock hour training requirement.

(U) Licensing Capacities

(A) If there is one (1) adult provider, the home may be licensed for up to six (6) children including a maximum of three (3) children under age two (2), or for up to ten (10) children including a maximum of two (2) children under age two (2), or both. If only four (4) children are present, all the children may be under the age of two (2).

(B) If the provider has an assistant present, the home may be licensed for up to ten (10) children including a maximum of four (4) children under age two (2) or for up to eight (8) children who may all be under age two (2).

(C) A family day care home may be licensed at maximum capacity for a period of eighteen (18) consecutive hours of the twenty-four- (24-) hour day. For the remaining six (6) hours of the twenty-four- (24-) hour day, care may be provided for one-third (1/3) the licensed capacity of the home.]

(2) Licensing Capacities and Staff/Child Ratios.

(A) A family child care home may be licensed for up to ten (10) children. The following staff/child ratios must be maintained at all times and shall not be exceeded except as permitted under these rules:

Number of caregivers present	Number of children present	Maximum number of children under age two (2)
1	Up to 4	4
1	5 - 6	3
1	7 - 10	2
2	Up to 8	8
2	Up to 10	4

(B) A family child care home may be licensed at maximum capacity for a period of eighteen (18) consecutive hours of the twenty-four- (24-) hour day. For the remaining six (6) hours of the twenty-four- (24-) hour day, care may be provided for one-third (1/3) of the licensed capacity of the home.

(C) Children five (5) years of age and older who live in the provider's home shall not be counted in the licensed capacity.

(3) Assistants.

(A) [An approved] The provider shall have at least one (1) assistant [shall be] available. [If there is a change of assistants, the provider shall notify the department immediately.]

[B) All assistants shall submit to the department the names and addresses of two (2) references not related to them who have knowledge of their character, experience, and ability.

(C) All assistants shall be screened for child abuse/neglect.

(D) An assistant who is employed or volunteers more than five (5) hours per week shall provide a medical examination report according to 19 CSR 30-61.125 Medical Examination Reports.]

[E)](B) The names, addresses, and telephone numbers of all assistants shall be posted with other emergency numbers in the home.

[F)](C) Parents shall be notified of any absence of the provider and informed of the name of the assistant on duty.

(4) Child Care Training.

(A) The provider shall obtain at least twelve (12) clock hours of child care-related training during each calendar year. Any assistant [working] who works or volunteers more than five (5) hours per week shall meet the same training requirements. Clock hour training shall be approved by the department.

AUTHORITY: sections 210.221 and [210.223] 210.1080, [RSMo 2016, and section 210.1080,] RSMo Supp. [2018] 2020, and section 210.223, RSMo 2016. This rule previously filed as 13 CSR 40-61.090, 13 CSR 40-61.105, and 19 CSR 40-61.105. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-61.105, effective Dec. 9, 1993. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 62—Licensing Rules for Group Child Care Homes and Child Care Centers**

PROPOSED AMENDMENT

19 CSR 30-62.010 Definitions. The department is deleting sections (4), (6), (8), (17)-(18), and (24); adding new sections (3)-(4), (6), (8), (13)-(15), (17)-(19), and (24); amending previously numbered sections (2)-(3), (5), (7), (9), (11), (16), (19), and (22)-(23); and renumbering sections as appropriate.

PURPOSE: This amendment updates the existing definitions and terms used in the licensing rules for group child care homes and child care centers and adds new definitions for child care facility, child care staff member, group size, homeless children and youths, hourly care facility, legal entity, licensee, and Montessori school. This amendment also deletes the terms "review board" and "related," places the definitions in correct alphabetical order, and updates the term "day care" to "child care" in the chapter name and across several definitions.

(2) Caregiver is the child care provider or other child care staff member.

(3) A child care center or center, whether owned by a sole proprietor or other legal entity, is a child care program conducted in a location other than the provider's permanent residence, or separate from the provider's living quarters, where care is provided for children for any part of the twenty-four- (24-) hour day.

(4) A child care facility or facility is a family child care home, group child care home, or child care center.

[3)](5) Child care provider, group [day] child care home provider or provider is the person(s) licensed or required to be licensed under section 210.211, RSMo in order to establish, conduct, or maintain a child care facility. This person(s) shall have the following rights and responsibilities as determined by the division:

(A) Ultimate responsibility for making and implementing decisions regarding the operation of the facility; and

(B) Ultimate financial control of the operation of the facility.

[4) A child day care center or center, whether known or incorporated under another title or name, is a child care program conducted in a location other than the provider's permanent residence, or separate from the provider's living quarters, where care is provided for children not related to the child care provider for any part of the twenty-four (24)-hour day.]

(6) Child care staff member is a child care provider; persons employed by the child care provider for compensation, including contract employees or self-employed individuals; individuals or volunteers whose activities involve the care or supervision of children for a child care provider or unsupervised access to children

who are cared for or supervised by a child care provider; or individuals residing in a family child care home who are seventeen (17) years of age and older.

[(5)](7) Day care or child care is care of a child away from his/her own home for any part of the twenty-four- (24)-/- hour day for compensation or otherwise. Day care or child care is a voluntary supplement to parental responsibility for the child's protection, development, and supervision. Day care or child care may be given in a family *[day]* child care home, group *[day]* child care home, or *[day]* child care center.

[(6) A day care facility or facility is a day care home, day care center or group day care home.]

(8) Department is the Missouri Department of Health and Senior Services.

[(7)](9) Director is the director of the Missouri Department of Health and Senior Services.

[(8) Department is the Missouri Department of Health.]

[(9)](10) A family [day] child care home or home, whether [known or incorporated under another title or name] owned by a sole proprietor or other legal entity, is a child care program where care is given by a person licensed as a *[day]* child care home provider for no more than ten (10) children *[not related to the provider]* for any part of the twenty-four- (24)-/- hour day. The provider may be licensed to operate no more than one (1) family *[day]* child care home or group *[day]* child care home.

[(10)](11) Graded boarding school is a public or private school which provides education in at least the first through the sixth grade and which provides lodging and meals for the pupils for the standard school term.

[(11)](12) A group [day] child care home, whether [known or incorporated under another title or name] owned by a sole proprietor or other legal entity, is a child care program where care is given by a person licensed as a group *[day]* child care home provider for *[eleven (11), but]* not more than twenty (20)*[-]* children *[not related to the child care provider]* for any part of the twenty-four- (24)-/- hour day. A group *[day]* child care home shall be in a location other than the provider's permanent residence or separate from the provider's living quarters. The provider may be licensed to operate no more than one (1) group *[day]* child care home or family *[day]* child care home.

(13) Group size is the maximum number of children assigned to a specific staff member or group of staff members, occupying an individual classroom or well-defined physical space within a large room.

(14) Homeless children and youths—

(A) Are individuals who lack a fixed, regular, and adequate nighttime residence; and

(B) Include:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

4. Migratory children who qualify as homeless because the children are living in the circumstances described above.

[(15) An hourly care facility is a facility licensed exclusively for irregular, intermittent, hourly care.]

[(16) Infant is any child under twelve (12) months of age.]

(17) Legal entity is the lawful or legally standing individual, corporation, sole proprietorship, general partnership, limited partnership, limited liability partnership, limited liability company, limited liability limited partnership, partnership, charity, and other forms of organization that has the legal capacity to enter into agreements, contracts, assume obligations, incur and pay debts, sue and be sued in its own right, and that is accountable for illegal activities.

(18) Licensee is an individual or other legal entity who has been granted a child care license by the Department of Health and Senior Services.

(19) Montessori school is a child care program that subscribes to Maria Montessori's educational philosophy and is accredited by the American Montessori Society or the Association Montessori Internationale.

[(13)](20) Night is the part of the twenty-four- (24)-/- hour day between 9:00 p.m. and 6:00 a.m.

[(14)](21) Nursery school is a program operated by a person or organization with the primary function of providing an educational program for preschool-age children for no more than four (4) hours per child per day.

[(15)](22) Premises is a house(s), dwelling(s), or building(s) and its adjoining land.

[(16)](23) Preschool child is any child two through five (2 $\frac{1}{2}$ -5) years of age who is not in kindergarten *[for five (5)-year-old children.]*

[(17) Related is any of the following relationships by marriage, blood or adoption between the provider and the children in care: parent, grandparent, great-grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, niece, nephew or first cousin.]

(24) A religious organization is—

(A) A church, synagogue, or mosque;
(B) An entity that qualifies for federal tax exemption status as a not-for-profit religious organization under Section 501(c)(3) of the Internal Revenue Code; or

(C) An entity whose real estate on which the child care facility is located is exempt from taxation because it is used for religious purposes.

[(18) Review board is the Child Care Licensing Review Board.]

[(19)](25) School-age child is any child five (5) years of age or older who is in kindergarten or *[elementary school]* above.

[(20)](26) School system is a program established primarily for education and which meets the following criteria:

(A) Provides education in at least the first through the sixth grade;

and

(B) Provides evidence that the school system's records will be accepted by a public or private school for the transfer of any student.

[(21)](27) Staff/child ratio is the number of caregivers required in relation to the number of children in care.

[(22)](28) Summer camp is a program operated from May to September by a person or organization with the primary function of providing a summer recreational program for children *[no younger than]* five (5) years of age **or older**, and providing no *[day]* child care for children younger than five (5) years of age in the same building or in the same outdoor play area.

[(23)](29) Toddler is any child *[between]* twelve to twenty-four (12 $\frac{1}{2}$ -24) months of age.

[(24)] A well-known religious order is defined as—

(A) An entity that qualifies for federal tax exemption status as a not-for-profit religious organization under Section 501(c)(3) of the Internal Revenue Code of 1954; and

(B) An entity whose real estate on which the child care facility is located is exempt from taxation because it is used for religious purposes.]

AUTHORITY: section[s] 210.221.1(3), RSMo Supp. [1993] 2020. This rule previously filed as 13 CSR 40-62.010 and 19 CSR 40-62.010. Original rule filed in 1956. Amended: Filed Dec. 19, 1975, effective Jan. 1, 1976. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure Chapter 62—Licensing Rules for Group Child Care Homes and Child Care Centers

PROPOSED AMENDMENT

19 CSR 30-62.042 *[Initial Licensing Information] Licensing Process.* The department is amending the rule title, removing sections (1) and (2), adding new sections (1) through (21), and removing the old license application form and replacing it with a new one incorporated by reference.

PURPOSE: This amendment removes exemptions for related children, revises procedures for the child care licensing process, and updates the license application form. The initial licensing process will no longer require an initial inquiry to the department; background screening requirements have been updated to comply with changes to section 210.1080, RSMo; a requirement for posting con-

tact information of key individuals has been added; and references to license renewal and change of owner processes have been removed. This amendment also replaces the term "day care" with "child care" throughout the rule and the chapter title.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

[(1) Persons Subject to Licensure.

(A) Any person(s) planning to offer day care for more than four (4) unrelated children at any one (1) time, except those coming under the exceptions of the law, shall apply for licensure and meet the requirements of the licensing rules before accepting more than four (4) unrelated children for care.

(B) Group day care homes shall meet all the requirements of these rules unless otherwise indicated in these rules.

(C) Licensing rules shall not apply to children related to the owner(s) of the facility as defined in section 210.211, RSMo. In order to document the exemption for related children, identifying information shall be on file at the facility on related children as required by 19 CSR 30-62.132 Admission Policies and Procedures.

(D) In an incorporated facility, the exemption for related children does not apply since a corporation cannot have relatives.

(2) Licensing Process.

(A) Upon receipt of an inquiry regarding day care licensing, an applicant shall complete the inquiry orientation available on the department's website to learn about the licensing process and rules. An application for licensure shall be provided by the department upon documentation of completion of the inquiry orientation.

(B) Upon receipt of a completed Application for License to Operate Group Child Care Home and Child Care Center form, a licensing inspection shall be made. See Application for License to Operate Group Child Care Home and Child Care Center form, promulgated as of 2018 and incorporated by reference in this rule. As published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php>. This rule does not incorporate any subsequent amendment or additions. If licensing rules are not met within six (6) months, the application shall be void and another application shall be filed.

(C) The licensing process shall include an inspection of the entire premises of the facility by the licensing representative.

(D) Prior to the granting of a license, the following shall be submitted by the applicant:

1. A sketch or diagram of the facility showing the arrangement of the rooms, including the location of toilet and handwashing facilities, the kitchen, the office, and the doors. The licensing representative and the applicant shall measure the facility jointly;

2. A sketch or diagram of the outdoor play area and placement of equipment. The licensing representative and the applicant shall measure the area jointly;

3. Written policies pertaining to the program goals, admission, care, and discharge of children;

4. A schedule of daily activities for each age group in care (infant/toddler, preschool, and school-age);

5. A sample weekly menu;
 6. An itemized list of available materials and equipment to be used by children;
 7. A written narrative description of child care practices and concepts, including discipline and guidance policies;
 8. A staff sheet;
 9. A written disaster and emergency plan;
 10. Lines of administrative authority;
 11. Sample forms used, other than those supplied by the department;
 12. Evidence of compliance with local or state, or both, sanitation requirements;
 13. Evidence of compliance, if applicable, with local building and zoning requirements;
 14. Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing if a group child care home or child care center is owned by a legal entity;
 15. Written policies and procedures which clearly establish job responsibilities and lines of administrative authority. This shall include a statement of the kind and extent of authority and the duties delegated to the director employed to carry out the program;
 16. Official verification of the center director or group day care home provider's education and experience;
 17. A written safe sleep policy, if the facility's application includes children under twelve (12) months of age in the requested age range; and
 18. Other information required by the department to make a determination regarding licensure of the facility.
- (E) Prior to the granting of a license, the provider shall meet the requirements of 19 CSR 30-62.087 Fire Safety.
- (F) Medical examination reports for all adults working in the facility, as required by 19 CSR 30-62.122 Medical Examination Reports, shall be on file at the facility and available for review.
- (G) Medical examination reports shall be on file at the facility within thirty (30) days following the admission of each infant, toddler, or preschool child as required by 19 CSR 30-62.122 Medical Examination Reports. A health report for school-age children shall be on file as required by 19 CSR 30-62.122.
- (H) Enrollment information for each child shall be on file at the facility as required by 19 CSR 30-62.132 Admission Policies and Procedures.
- (I) Identifying information shall be on file at the facility for each child to be cared for who is related to the facility owner(s) as required by 19 CSR 30-62.132 Admission Policies and Procedures.
- (J) The facility owner(s), board president, or chairperson, all members of an LLC, and the center director or group day care home provider, shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to initial issuance of the license.
- (K) Child care staff members, as defined in section 210.1080.1(1), RSMo shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to initial issuance of the license.
- (L) Background screening information received by the provider shall be retained in the individual's file in a confidential manner and available for review.
- (M) The facility shall not provide care for more than four (4) unrelated children until it is in compliance with state statutes and licensing rules for group day care homes and day care centers.
- (N) The official license shall be granted for up to two (2) years and may be renewed upon reapplication and inspection. The official license shall be posted near the entrance of

the facility where it may be seen easily by parents or others who visit.

(O) The name(s), address(es), and telephone number(s) of the facility owner(s), or the board president or chairperson, members of an LLC, or his/her designee shall be posted prominently near the license.

(P) The license shall not be transferable and shall apply only to the person(s) and address shown on the license.

(Q) A change of ownership occurs when the facility is sold to a new owner, the owner changes legal entity status, or the ownership is transferred to another legal entity. The licensee shall notify the department prior to the change in ownership.

(R) The department may grant a short-term license to the new owner to allow for continuity of care, if required documentation for licensure has been submitted to the department. The new owner shall submit the following in advance of the change in ownership:

1. An application for licensure;

2. A statement of intent signed by the buyer(s) and seller(s) that documents the date the change of ownership is expected to occur;

3. Lines of administrative authority;

4. A staff sheet;

5. A document indicating the organizational structure of the facility's operation; and

6. Qualifying background screening results for facility owner(s), board president, or chairperson, all members of an LLC, and child care staff members on file as required by 19 CSR 30-63.020 General Requirements.

(S) If there is a change of ownership of a group day care home or child care center, the new owner(s) shall meet the requirements of the current licensing rules. A licensing inspection shall be made as required by 19 CSR 30-62.042 Initial Licensing Information.

(T) The license shall be the property of the department and shall be subject to revocation by the department upon failure of the provider to comply with state statutes and licensing rules for group day care homes and day care centers. The license shall be returned to the department if revoked, not renewed, or if the owner closes the facility.

(U) If a facility's license is revoked or denied due to failure to comply with state statutes and licensing rules, the department shall not accept a subsequent application from the provider for that facility within twelve (12) months after the effective date of revocation or denial, or within twelve (12) months after all appeal rights have been exhausted, whichever is later.

(V) The number and ages of children the facility is authorized to have in care at any one (1) time shall be specified on the license and shall not be exceeded except as permitted within these rules.

(W) All day care provided on the premises of a licensed facility shall be in compliance with the licensing rules and the conditions specified on the license.

(X) The provider shall permit the department access to the facility, premises and records during all inspections and complaint investigations.

(Y) A child care provider shall not deny a child admission to, or the benefits of, any program provided by the facility on the basis of race, sex, religion, or national origin.]

(1) An applicant shall complete the licensing orientation available on the department's website to learn about the licensing process and rules.

(2) Upon receipt of a completed *Application for License to Operate a Child Care Facility* form, a licensing inspection shall be made.

See *Application for License to Operate a Child Care Facility* form, promulgated as of August 2020 and incorporated by reference in this rule. As published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php>. This rule does not incorporate any subsequent amendment or additions. If licensing rules are not met within six (6) months, the application shall be void and another application shall be filed.

(3) The licensing process shall include an inspection of the entire premises of the facility by the licensing representative.

(4) Prior to the granting of a license, the following shall be submitted by the applicant:

(A) A sketch or diagram of the facility showing the arrangement of the rooms, including the location of toilet and handwashing facilities, the kitchen, the office, and the doors. The licensing representative and the applicant shall measure the facility jointly;

(B) A sketch or diagram of the outdoor play area and placement of equipment. The licensing representative and the applicant shall measure the area jointly;

(C) Written policies provided to parents shall include:

1. Program goals;
2. Admission, care, and discharge of children;

3. Narrative description of child care practices and concepts; and

4. Discipline and guidance policies;

(D) A schedule of daily activities for each age group in care (infant/toddler, preschool, and school-age);

(E) A sample weekly menu;

(F) An itemized list of available materials and equipment to be used by children;

(G) A staff sheet;

(H) A written disaster and emergency plan;

(I) Lines of administrative authority;

(J) Sample forms used, other than those supplied by the department;

(K) Evidence of compliance with local or state, or both, sanitation requirements;

(L) Evidence of compliance, if applicable, with local building and zoning requirements;

(M) Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing if a group child care home or child care center is owned by a legal entity;

(N) Written policies and procedures which clearly establish job responsibilities for the director or group home provider;

(O) Official verification of the center director or group child care home provider's education and experience;

(P) A written safe sleep policy, if the facility's application includes children under twelve (12) months of age in the requested age range; and

(Q) Other information required by the department to make a determination regarding licensure of the facility.

(5) Prior to the granting of a license, the provider shall meet the requirements of 19 CSR 30-62.087 Fire Safety.

(6) Medical examination reports for all adults working in the facility, as required by 19 CSR 30-62.122 Medical Examination Reports, shall be on file at the facility and available for review.

(7) Medical examination reports shall be on file at the facility within thirty (30) days following the admission of each infant, toddler, or preschool child as required by 19 CSR 30-62.122 Medical Examination Reports. A health report for school-age children shall

be on file as required by 19 CSR 30-62.122.

(8) Enrollment information for each child shall be on file at the facility as required by 19 CSR 30-62.132 Admission Policies and Procedures.

(9) The child care provider and child care staff members, as defined by 19 CSR 30-63.010 Definitions, shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to initial issuance of the license.

(10) Background screening information received by the provider shall be retained in the individual's file in a confidential manner and available for review.

(11) Prior to the granting of a license, the facility shall be in compliance with state statutes and licensing rules for group child care homes and child care centers.

(12) Once granted, the license shall be posted near the entrance of the facility where it may be seen easily by parents or others who visit.

(13) The name(s), address(es), and telephone number(s) shall be posted prominently near the license for all of the following, as applicable:

- (A) The child care provider(s);
- (B) Facility owner(s);
- (C) Board president or chairperson; or
- (D) All manager(s) and/or member(s).

(14) The license shall not be transferable and shall apply only to the person(s) and address shown on the license.

(15) The license shall be the property of the department and shall be subject to discipline by the director upon failure of the provider to comply with state statutes and/or licensing rules for group child care homes and child care centers.

(16) If a facility's license is revoked or denied due to failure to comply with state statutes and/or licensing rules, the department shall not accept a subsequent application from the provider for that facility within twelve (12) months after the effective date of revocation or denial, or within twelve (12) months after all appeal rights have been exhausted, whichever is later.

(17) The license shall become null and void if—

- (A) Revoked;
- (B) The owner closes the facility;
- (C) The facility changes ownership; or
- (D) In the case of licenses not held by legal entities, the death of the licensee(s).

(18) The number and ages of children a group child care home or child care center is authorized to have in care at any one (1) time shall be specified on the license and shall not be exceeded except as permitted within these rules.

(19) All child care provided on the premises of a licensed group child care home or child care center shall be in compliance with the licensing rules, the conditions specified on the license, and the conditions of any variances granted to the licensee.

(20) The provider shall permit the department access to the facility, premises, and records during all inspections.

(21) The provider shall not deny a child admission to, or the benefits of, any program provided by the group child care home or

child care center on the basis of race, sex, religion, or national origin.

AUTHORITY: sections 210.221.1(3)[, RSMo 2016,] and [section] 210.1080, RSMo Supp. [2018] 2020. This rule previously filed as 13 CSR 40-62.021, 13 CSR 40-62.042, and 19 CSR 40-62.042. Original rule filed March 29, 1991, effective Oct. 31, 1991. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure Chapter 62—Licensing Rules for Group Child Care Homes and Child Care Centers

PROPOSED AMENDMENT

19 CSR 30-62.052 [License Renewal] Annual Requirements. The department is amending the rule title, deleting sections (1) through (5), and adding new sections (1) and (2).

PURPOSE: The amendment removes the license renewal process to comply with section 210.221.1, RSMo 2020 and adds annual requirements for group child care homes and child care centers.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) An application for license renewal shall be filed at least sixty (60) days prior to expiration of the license. In addition, the following information is required:

(A) Evidence of compliance with a fire and safety inspection as conducted by the State Fire Marshal or his/her designee;

(B) Evidence of compliance with local or state, or both, sanitation requirements;

(C) Evidence of compliance with local building and zoning requirements, if applicable;

(D) Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing if a group child care home or child care center is owned by a legal entity;

(E) Medical examination reports on file at the facility as required by 19 CSR 30-62.122 Medical Examination

Reports;

(F) A health report on file at the facility for each school-age child in care as required by 19 CSR 30-62.122 Medical Examination Reports;

(G) Enrollment information on file at the facility for each child in care as required by 19 CSR 30-62.132 Admission Policies and Procedures;

(H) Identifying information on file at the facility regarding children who are related to the center owner(s) or group day care home provider as required by 19 CSR 30-62.132 Admission Policies and Procedures;

(I) A current list of available equipment;

(J) Current staff sheet; and

(K) Materials and information which have changed since the previous licensing period.

(2) The child care provider shall conduct a Family Care Safety Registry check for all child care staff members no more than sixty (60) days prior to the expiration of the license.

(3) The facility owner(s), board president, or chairperson, and the center director or group day care home provider, shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to renewal of the license.

(4) Child care staff members shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements, prior to renewal of the license.

(5) Upon determination of the applicant's continued compliance with state statutes and licensing rules for group day care homes and day care centers, an official license shall be granted for up to two (2) years.]

(1) The provider shall submit the following to the department on an annual basis, at least thirty (30) calendar days prior to the anniversary date as printed on the license:

(A) An Annual Declaration for Licensed Facility form, promulgated as of August 2020 and incorporated by reference in this rule. As published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php> indicating the licensee's intent to continue operating a licensed group child care home or child care center and agreement to comply with all statutes and department licensing rules;

(B) Evidence of compliance with local building and zoning requirements, if applicable;

(C) A current list of available equipment; and

(D) A current staff sheet.

(2) The provider shall have the following on file and available for review:

(A) Evidence of compliance with a fire and safety inspection as conducted by the State Fire Marshal or his/her designee;

(B) Evidence of compliance with local, state, or both, sanitation requirements;

(C) The child care provider shall conduct a Family Care Safety Registry check for all child care staff members within thirty (30) days prior to the anniversary date as printed on the license; and

(D) Documentation as required by the Missouri Secretary of State and state law to verify the legal entity is in good standing, if a group child care home or child care center is owned by a legal entity.

*AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [2016, and section 210.1080, RSMo] Supp. [2018] 2020. This rule previously filed as 13 CSR 40-62.031, 13 CSR 40-62.052, and 19 CSR 40-62.052. Original rule filed March 29, 1991, effective Oct. 31, 1991. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Amended: Filed Aug. 31, 2020.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities forty-three thousand, three hundred, thirteen dollars and forty-nine cents (\$43,313.49) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PRIVATE COST**

- I.** **Department Title:** Title 19 – Department of Health and Senior Services
Division Title: Division 30 – Division of Regulation and Licensure
Chapter Title: Chapter 62 – Licensing Rules for Group Child Care Homes and Day Care Centers

Rule Number and Name:	19 CSR 30-62.052 Annual Requirements
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimated Cost to Complete Annual Requirements per Provider	Estimated Number of Providers Required to Complete Annual Requirements	Total Estimated Cost of Annual Requirements Across Missouri Annually
\$22.11	1,959	\$43,313.49

III. WORKSHEET

ESTIMATED TOTAL COST TO COMPLETE ANNUAL REQUIREMENTS	
Total Cost to Complete Annual Requirements	\$22.11
Total Number of Providers Required to Complete Annual Requirements	1,959
Total Private Cost	\$43,313.49

Methodology: Total Cost to Complete Annual Requirements * Total Number of Providers Required to Complete Annual Requirements = Total Private Cost

ESTIMATED COST TO COMPLETE ANNUAL REQUIREMENTS FOR FACILITIES				
Document	Time Estimate (Hours)	Average Hourly Wage of Missouri	Unemployment, Social Security, Payroll Taxes, and Workers' Comp	Total Cost per Child Care Provider
<i>Annual Declaration for a Licensed Facility form</i>	.25	\$13.05	17%	\$3.80
Current list of available equipment	.75	\$13.05	17%	\$11.45
Current staff sheet	.15	\$13.05	17%	\$2.29
Family Care Safety Registry screening results for all child care staff members	.30	\$13.05	17%	\$4.57
TOTALS	1.45			\$22.11

Methodology: (Average Hourly Wage * Time Estimate) * Employer Expenses = Total Cost per Child Care Provider

IV. ASSUMPTIONS

1. The average wage comes from the 2018 average wage for Child Care Workers in Missouri available from the Missouri Department of Economic Development (\$11.29) plus estimated inflation. No additions were made to this number for items such as 401k contributions or other fringe benefits because those are not an industry standard for child care workers.
2. Time estimates for the documents that must be completed to meet the annual requirements are estimated by the Department of Health and Senior Services for the minimum amount of time necessary to review, compile and/or update, and submit the necessary documents.

The time estimates seen here are based on the following assumptions:

<i>Annual Declaration for a Licensed Facility</i> form	0.25 hours (15 minutes) was allotted for this based on the fact that this is a one-page fillable form requesting identifying information. The provider is required to review, sign, date, and return the form to the department.
Current list of available equipment	.75 hours (45 minutes) was allotted for this because an equipment list is required for initial licensure. Child care providers should routinely update this list and keep it current for insurance and departmental purposes. The department currently requires a list of available equipment at renewal (once every two years).
Current staff sheet	.15 hours (15 minutes) was allotted for this because a staff sheet is required for initial licensure. The department assumes that child care providers will update this staff sheet periodically as staff change. The department currently requires a staff sheet at renewal (once every two years).
Family Care Safety Registry screening results for all child care staff members	.30 hours (30 minutes) was allotted for this based on discussions with Family Care Safety Registry (FCSR) staff about how long it typically takes for a group home or center child care provider to submit an online background screening request.

4. The time estimates only include one staff member because typically only one staff person (e.g. owner, provider, board chairperson, LLC member or designee) completes documentation that is submitted to the department.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 62—Licensing Rules for Group Child Care Homes and Child Care Centers

PROPOSED AMENDMENT

19 CSR 30-62.102 Personnel. The department is amending sections (1)–(4).

PURPOSE: This amendment updates the term “day care” to “child care” in the chapter and rule names and throughout the rule. This amendment also adds a requirement that staff report suspected child abuse or neglect to DSS Children’s Division; updates the group home provider / center director approval process, including new forms; and updates general requirements for background screening requirements for child care staff members.

(1) General Staff Requirements.

(A) *[Day]* Child care personnel shall be of good character and intent and shall be qualified to provide care conducive to the welfare of children.

(B) *[Day]* Child care personnel shall cooperate with the department.

(H) The provider shall have available a copy of the *Licensing Rules for Group [Day] Child Care Homes and Child [Day]Care Centers in Missouri*. All caregivers and volunteers working directly with children shall be required to review and be knowledgeable of the rules at the time they begin work and shall be able to understand and apply those rules which relate to their respective responsibilities.

(J) All staff shall acquaint themselves with the child abuse and neglect law and shall make a report of any suspected child abuse or neglect to the Children’s Division at the toll-free number 1-800-392-3738 or online at <https://apps.dss.mo.gov/OnlineCanReporting/default.aspx>.

(I)(J)(K) The child care provider shall ensure that within seven (7) days of employment or volunteering and before being left alone with children that caregivers receive a facility orientation. The child care provider shall ensure that documentation verifying completion of the facility orientation is maintained and on file for review by the department for each caregiver. The facility orientation shall include:

1. A tour of the facility, indoors and outdoors; and
2. A review of the following:

A. Licensing rules;
B. The facility’s license and its limitations, if any;
C. The facility’s written child care practices, including procedures for medication administration, child illness, discipline, and guidance policies;
D. The daily schedule;
E. The assigned duties and responsibilities of staff;
F. The names and ages of the children for whom the staff member will be responsible, including any special health, nutritional, or developmental needs;
G. The location of children’s records;
H. The facility’s safe sleep policy, if applicable;
I. The facility’s disaster emergency plan and the location of emergency information; and
J. The mandated responsibility to report any suspected child abuse or neglect to the Children’s Division at the toll-free number 1-800-392-3738 or online at <https://apps.dss.mo.gov/OnlineCanReporting/default.aspx>.

(I)(K)(L) The child care provider shall ensure that documentation of caregiver completion of the facility orientation is maintained and on file for review by the department.

(I)(L)(M) The provider shall request the results of a criminal background check for child care staff members as required by 19 CSR 30-63.020 General Requirements.

[(M)](N) Child care staff members shall have qualifying background screening results on file as required by 19 CSR 30-63.020 General Requirements.

[(N)](O) Child care staff members with disqualifying background screenings results as defined in *[19 CSR 30-63.020 General Requirements]* **19 CSR 30-63.040 Background Screening Findings**, shall be prohibited from being present on the premises of the facility during child care hours.

[(O)] A prospective child care staff member may begin work for a child care provider after the criminal background check has been requested from the department; however, pending completion of the criminal background check, the prospective child care staff member shall be supervised at all times by another child care staff member who received a qualifying result on the criminal background check within the past five (5) years.]

(P) The child care provider shall conduct a Family Care Safety Registry screening prior to employment for any newly hired child care staff member who has a qualifying criminal background check result.

[(P)](Q) Background screening information received by the provider shall be retained in the individual’s file in a confidential manner and available for review.

[(Q)](R) Any person present at the facility during the hours in which child care is provided shall not present a threat to the health, safety, or welfare of the children.

[(R)](S) If an employee reports licensing deficiencies in the facility, the child care provider shall not take any action against the employee because of the report that would adversely affect his/her employment, or terms or conditions of employment.

[(S)](T) The licensee shall have documentation on file at the facility of current certification in age-appropriate first aid and cardiopulmonary resuscitation (CPR) training for a sufficient number of child care staff to ensure that there is one (1) caregiver at the facility for every twenty (20) children in the licensed capacity. At least one (1) caregiver with current certification in age-appropriate first aid and CPR must be on site at all times when children are present. The training shall be certified by a nationally-recognized organization, such as the American Red Cross, American Heart Association, or an equivalent certification, include an in-person skills assessment, and be *[and]* approved by the department.

(2) Center Director or Group *[Day]* Child Care Home Provider.

(A) General Requirements.

1. *[The group day care home provider or the individual designated as the]* An approved certificated group child care home provider or center director shall be responsible for planning, monitoring, and managing the facility’s daily program.

A. *A Center Director or Group Child Care Home Provider Certification Request form shall be submitted to the department. See Center Director or Group Child Care Home Provider Certification Request form, promulgated as of August 2020 and incorporated by reference in this rule. As published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php>. This rule does not incorporate any subsequent amendments or additions.*

B. Once the center director or group child care home provider is certificated by the Department, the *Center Director or Group Child Care Home Provider Approval Request form* shall be submitted to the department and maintained on file at the facility. See *Center Director or Group Child Care Home Provider Approval Request form*, promulgated as of August 2020 and incorporated by reference in this rule. As published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 and available by the department at <https://health.mo.gov/safety/childcare/forms.php>. This

rule does not incorporate any subsequent amendments or additions.

2. Center directors and group */day/ child* care home providers routinely shall be on duty during the hours of highest attendance a minimum of forty (40) hours per week. If the facility operates less than forty (40) hours per week, the center director or group */day/ child* care home provider shall be on duty at least fifty percent (50%) of the operating hours.

3. The licensee is required to maintain an approved certified group child care home provider or center director on staff.

(3./4. The duties and responsibilities of the center director or group */day/ child* care home provider shall be defined clearly in writing.

(4./5. In the absence of the center director or group */day/ child* care home provider, another responsible individual shall be designated to be in charge of the facility.

(5./6. The center owner(s), or the board president or chairperson, shall notify the department immediately when there is a change of directors and shall *submit child abuse/neglect screening information as required by 19 CSR 30-62.042 Initial Licensing Information/ have a qualifying criminal background check on file as required by 19 CSR 30-63.020 General Requirements.*

(B) Education and Experience Requirements.

1. General requirements.

A. A Child Development Associate (CDA) or Youth Development Credential (YDC) shall be considered the equivalent of twelve (12) months' experience and six (6) college semester hours in child-related courses toward meeting the educational and experience requirements for director of any size facility.

B. All experience must have been responsible, supervised, full-time (a minimum of thirty-five (35) hours per week) paid experience in working with children in a child care setting. Part-time experience, which is less than thirty-five (35) hours per week, may be prorated.

C. Each month of full-time experience may be substituted for two (2) college semester hours in unspecified courses, but not for the required child-related courses.

D. All college semester hours must have been received from an accredited college or university.

E. The required courses may include child-related courses in early childhood education, elementary education, child development, child psychology, nutrition, first aid, recreation, nursing, health, marriage and family, social work, sociology, or other related areas as approved by the department.

F. Official verification of the education and experience of the group */day/ child* care home provider or center director shall be on file with the department prior to beginning employment **as the group child care home provider or facility director.**

G. Any college transcript used for verification of education must be an official transcript bearing the seal of the college or university.

2. Group */day/ child* care home provider. The group */day/ child* care home provider shall have at least thirty (30) college semester hours, with six (6) of the thirty (30) hours in child-related courses; or twelve (12) months' experience and six (6) college semester hours in child-related courses, a CDA, or a YDC.

3. Center director.

A. Any individual approved as a qualified center director under the previous licensing rules and employed in a center in that position as of the effective date of these rules shall be exempt from these requirements for continued employment in the same center, or for employment in another center of the same or smaller licensed capacity category. If the same individual is to be employed in another center in a larger licensed capacity category, s/he shall meet the educational and experience requirements of that category.

B. */Day/ Child* care center directors employed after the effective date of these rules shall meet the following education or

experience requirements, or both, as determined by the licensed capacity of the center in which they are to serve:

Licensed Capacity of the Center	Education and Experience Requirements for Center Director
Up to 20 Children	Thirty (30) college semester hours, with six (6) of the thirty (30) hours in child-related courses; or twelve (12) months' experience with six (6) college semester hours in child-related courses, a CDA, or a YDC.
21—60 Children	Sixty (60) college semester hours. Twelve (12) of the hours must be in child-related courses; or twenty-four (24) months' experience and twelve (12) college semester hours in child-related courses.
61—99 Children	Ninety (90) college semester hours. Eighteen (18) of the ninety (90) hours must be in child-related courses; or thirty-six (36) months' experience and eighteen (18) college semester hours in child-related courses.
100 or More Children	One hundred twenty (120) college semester hours. Twenty-four (24) of the one hundred twenty (120) hours must be in child-related courses. Six (6) of the twenty-four (24) college semester hours may include courses in business or management; or four (4) years' experience and twenty-four (24) college semester hours in child-related courses. Six (6) of the twenty-four (24) college semester hours may include courses in business or management.
(3) Child Care Training.	
(A) The center director, group <i>/day/ child</i> care home provider, all other caregivers, and those volunteers who are counted in staff/child ratios shall obtain at least twelve (12) clock hours of child-care related training during each calendar year. Clock hour training shall be approved by the department.	
(D) Group <i>/day/ child</i> care homes and child care centers operating fewer than twelve (12) months of the year shall obtain at least twelve (12) annual clock hours. The number of training clock hours required is not prorated for any program, regardless of number of months per year or number of hours per week in operation.	
(H) Earning <i>/A/a</i> Child Development Associate (CDA) or Youth Development Credential (YDC) shall count for twelve (12) clock hours for the year the credential was awarded.	
(L) Clock hour training taken prior to beginning employment or to the facility becoming licensed <i>[at the family child care home]</i> may be counted if it occurred within that calendar year.	
(4) Safe Sleep Training. Every three (3) years the center director, group <i>/day/ child</i> care home provider, all other caregivers, and those volunteers who are counted in staff/child ratios in a group child care home or child care center licensed to provide care for infants less than one (1) year of age shall successfully complete department-approved training regarding the American Academy of Pediatrics (AAP) safe sleep recommendations contained in the <i>American Academy of Pediatrics Task Force on Sudden Infant Death Syndrome. Technical report – SIDS and other sleep-related infant deaths:</i>	

Updated 2016 Recommendations for a Safe Infant Sleeping Environment, by Moon RY, which is incorporated by reference in this rule as published in *PEDIATRICS* Volume 138, No. 5, November 1, 2016 and available at <http://pediatrics.aappublications.org/content/pediatrics/early/2016/10/20/peds.2016-2938.full.pdf>. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 210.221 and [210.223, RSMo 2016,] and [section] 210.1080, RSMo Supp. [2018] 2020, and section 210.223, RSMo 2016. This rule previously filed as 13 CSR 40-62.091, 13 CSR 40-62.102, and 19 CSR 40-62.102. Original rule filed March 29, 1991, effective Oct. 31, 1991. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure Chapter 63—Child Care Comprehensive Background Screening

PROPOSED AMENDMENT

19 CSR 30-63.010 Definitions. The department is deleting section (1), amending section (2), and adding new sections (1) and (6).

PURPOSE: This amendment revises and adds definitions to comply with section 210.1080.1, RSMo; specifically, this amendment revises the definitions for child care provider and child care staff member and adds a definition for qualifying result.

[(1) Child care provider, group day care home provider, or provider is the person(s) licensed or required to be licensed under section 210.211, RSMo, or person(s) exempted by section 210.1080.9(1), RSMo, in order to establish, conduct, or maintain a child care facility. This person(s) shall have the following rights and responsibilities as determined by the department:

(A) Ultimate responsibility for making and implementing decisions regarding the operation of the facility; and

(B) Ultimate financial control of the operation of the facility.]

(1) Child care provider is a person licensed or regulated to provide child care within the state of Missouri, including the member(s), manager(s), shareholder(s), director(s), and officer(s) of any entity licensed or regulated to provide child care within the state of Missouri.

(2) Child care staff member is[—] a child care provider; persons

employed by the child care provider for compensation, including contract employees or self-employed individuals; individuals or volunteers whose activities involve the care or supervision of children for a child care provider or unsupervised access to children who are cared for or supervised by a child care provider; or individuals residing in a family child care home who are *[seventeen (17)] eighteen (18)* years of age and older.

(6) Qualifying result or qualifying criminal background check is a finding that a child care staff member or prospective child care staff member is eligible for employment or presence in a child care setting.

AUTHORITY: section 210.1080, RSMo Supp. [2018] 2020. Emergency rule filed Feb. 15, 2019, effective Feb. 25, 2019, expired Aug. 23, 2019. Original rule filed Feb. 15, 2019, effective Aug. 30, 2019. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure Chapter 63—Child Care Comprehensive Background Screening

PROPOSED AMENDMENT

19 CSR 30-63.020 General Requirements. The department is amending sections (1), (2) and (4).

PURPOSE: This amendment makes changes consistent with recent changes to section 210.1080, RSMo; specifically, changing when a person may begin working in a child care facility to the point in which they have received the qualifying result of a fingerprint based background check and adds an exemption to background screening for those child care providers who are not directly responsible for the oversight or direction of the child care facility and who do not have independent access to the facility.

(1) Prior to the employment or presence of a child care staff member in a family child care home, group child care home, child care center, or license-exempt facility not exempted by section 210.1080.9(1)/13, RSMo, the child care provider shall request the results of a criminal background check for such child care staff member from the department.

(2) A prospective child care staff member may begin work for a child care provider after the *[criminal background check has been requested]* qualifying result of either a Federal Bureau of Investigation fingerprint check or a search of the Missouri criminal registry or repository with the use of fingerprints has been

received from the department; however, pending completion of the criminal background check, the prospective child care staff member shall be supervised at all times by another child care staff member who received a qualifying result on the criminal background check within the past five (5) years.

(4) A child care provider shall not be required to submit a request for a criminal background check for a child care staff member if—

(A) The staff member received a **qualifying** criminal background check within five (5) years before the latest date on which such a submission may be made and while employed by or seeking employment by another child care provider within Missouri;

(B) The first provider received a qualifying criminal background check result, consistent with this chapter, for the staff member; and

(C) The staff member is employed by a child care provider within Missouri or has been separated from employment from a child care provider within Missouri for a period of not more than one hundred eighty (180) consecutive days./.; or

(D) The individual meets the definition of child care provider, but is not responsible for the oversight or direction of the child care facility and does not have independent access to the child care facility. Such staff members shall be accompanied by an individual with a qualifying criminal background check in order to be present at the child care facility during child care hours.

AUTHORITY: section 210.1080, RSMo Supp. [2018] 2020. Emergency rule filed Feb. 15, 2019, effective Feb. 25, 2019, expired Aug. 23, 2019. Original rule filed Feb. 15, 2019, effective Aug. 30, 2019. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure

Chapter 63—Child Care Comprehensive Background Screening

PROPOSED AMENDMENT

19 CSR 30-63.040 Background Screening Findings. The department is amending sections (1) and (2).

PURPOSE: This amendment adds criteria that would cause a child care staff member to be ineligible for employment or presence at a family child care home, group child care home, child care center, or license-exempt facility to comply with section 210.1080.4, RSMo 2020.

(1) Any child care staff member or prospective child care staff member shall be ineligible for employment or presence at a family child care home, group child care home, child care center, or license-exempt facility not exempted by section 210.1080./9(1)/13, RSMo if

such person—

(D) *[Has a finding of child abuse or neglect under section 210.145 or 210.152, RSMo or any other finding of child abuse or neglect based on any other state's registry or database;]* Is listed as a perpetrator of child abuse or neglect under sections 210.109 to 210.183, RSMo or has any other finding of child abuse or neglect based on any other state's registry or database; or

(E) Has been convicted of a felony consisting of—

1. *Murder, as described in 18 U.S.C. Section 1111;*
2. *Child abuse or neglect;*
3. *A crime against children, including child pornography;*
4. *Spousal abuse;*
5. *A crime involving rape or sexual assault;*
6. *Kidnapping;*
7. *Arson;*
8. *Physical assault or battery; or*
9. *A drug-related offense committed during the preceding five (5) years;*

(F) Has been convicted of a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, or sexual assault, or of a misdemeanor involving child pornography; or

(G) Has been convicted of any similar crime in any federal, state, municipal, or other court.]

(E) Has pled guilty or nolo contendere to or been found guilty of—

1. Any felony for an offense against the person as defined in Chapter 565, RSMo;
2. Any other offense against the person involving the endangerment of a child as prescribed by law;
3. Any misdemeanor or felony for a sexual offense as defined in Chapter 566, RSMo;
4. Any misdemeanor or felony for an offense against the family as defined in Chapter 568, RSMo;
5. Burglary in the first degree as defined in section 569.160, RSMo;
6. Any misdemeanor or felony for robbery as defined in Chapter 570, RSMo;
7. Any misdemeanor or felony for pornography or related offense as defined in Chapter 573, RSMo;
8. Any felony for arson as defined in Chapter 569, RSMo;
9. Any felony for armed criminal action as defined in section 571.015, RSMo, unlawful use of a weapon as defined in section 571.030, RSMo, unlawful possession of a firearm as defined in section 571.070, RSMo, or the unlawful possession of an explosive as defined in section 571.072, RSMo;

10. Any felony for making a terrorist threat as defined in section 574.115, 574.120, or 574.125, RSMo;

11. A felony drug-related offense committed during the preceding five (5) years, or

12. Any similar offense in any federal, state, municipal, or other court of similar jurisdiction of which the director of the designated department has knowledge.

(2) Adult household members *[seventeen (17)]* eighteen (18) years of age and older in a family child care home shall be ineligible to maintain a presence at a family child care home if any one (1) or more of the provisions of section (1) of this rule applies to them.

AUTHORITY: section 210.1080, RSMo Supp. [2018] 2020. Emergency rule filed Feb. 15, 2019, effective Feb. 25, 2019, expired Aug. 23, 2019. Original rule filed Feb. 15, 2019, effective Aug. 30, 2019. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure Chapter 63—Child Care Comprehensive Background Screening

PROPOSED AMENDMENT

19 CSR 30-63.050 Process for Appeal Required in Section 210.1080, RSMo. The department is amending section (1).

PURPOSE: This amendment updates the process for appeal for a prospective child care staff member or child care staff member of a licensed facility to comply with section 210.1080.9, RSMo 2020.

(1) The prospective child care staff member or child care staff member of a licensed facility may appeal a finding of **ineligibility for employment or presence at a child care facility** in writing to the department [to challenge the accuracy or completeness of the information contained in his or her criminal background check, or to offer information mitigating the results and explaining why an eligibility exception should be granted] as allowed by section 210.1080.9, RSMo.

AUTHORITY: section 210.1080, RSMo Supp. [2018] 2020. Emergency rule filed Feb. 15, 2019, effective Feb. 25, 2019, expired Aug. 23, 2019. Original rule filed Feb. 15, 2019, effective Aug. 30, 2019. Emergency amendment filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. Amended: Filed Aug. 31, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Nancy Scherer, Department of Health and Senior Services, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Nancy.Scherer@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 30—Division of Regulation and Licensure Chapter 91—Authorized Electronic Monitoring in Long-Term Care Facilities

PROPOSED RULE

19 CSR 30-91.010 Authorized Electronic Monitoring

PURPOSE: The proposed rule sets forth requirements regarding the use of an electronic monitoring device in long-term care facilities.

AGENCY NOTE: All rules relating to long-term care facilities licensed by the department are followed by a Roman Numeral notation which refers to the class (either Class I, II, or III) of standard as designated in section 198.085 RSMo.

(1) Definitions. For the purposes of this rule the following terms shall apply:

(A) Authorized electronic monitoring means the placement and use of an electronic monitoring device by a resident in his or her room in accordance with the provisions of sections 198.610 to 198.632, RSMo;

(B) Electronic monitoring device means a surveillance instrument capable of recording or transmitting audio or video footage of any activity occurring in a resident's room;

(C) Facility or long-term care facility means any residential care facility, assisted living facility, intermediate care facility, or skilled nursing facility, as such terms are defined under section 198.006, RSMo;

(D) Guardian means the same as defined under section 475.010, RSMo; and

(E) Legal representative means a person authorized under a durable power of attorney that complies with sections 404.700 to 404.737, RSMo, to act on behalf of a resident of a facility.

(2) A resident shall be permitted to place in the resident's room an authorized electronic monitoring (AEM) device that is owned and operated by the resident or provided by the resident's guardian or legal representative consistent with sections 198.610 to 198.632, RSMo and this regulation. II/III

(3) A facility shall offer the DHSS-DRL-107 (08-20), Electronic Monitoring Device Acknowledgment and Request Form, included herein, to any resident or resident's guardian or legal representative upon request and utilize this form to document consent and use of an electronic monitoring device. II/III

(4) AEM shall not begin nor an electronic monitoring device(s) be installed until the Electronic Monitoring Device Acknowledgment and Request Form has been completed and returned to the facility. The facility may require the resident or the resident's guardian or legal representative to remove or disable the electronic monitoring device. II/III

(5) AEM shall be conducted in accordance with consent and limitations provided in the Electronic Monitoring Device Acknowledgment and Request Form. II/III

(6) If AEM is being conducted in the room of a resident and another resident is moved into the room who has not yet consented to the electronic monitoring, AEM shall cease until the new resident has consented through the Electronic Monitoring Device Acknowledgment and Request Form. The facility may require the resident or the resident's guardian or legal representative to remove or disable the electronic monitoring device. II/III

(7) The placement and use of the AEM device shall be open and obvious.

(8) If a resident installs and uses an electronic monitoring device, a notice to alert and inform visitors shall be posted at the entrance of the facility and resident's room.

(A) The facility shall post a notice at the main entrance of the facility in large, legible type and font and display the words "Electronic Monitoring" and state: "The rooms of some residents may be monitored electronically by, or on behalf of, the residents and

monitoring is not necessarily open or obvious." III

(B) The facility shall require the resident to post and maintain a conspicuous notice at the entrance of the resident's room stating: "This room is being monitored by an electronic monitoring device." III

(9) The facility shall require an electronic monitoring device to be installed as follows:

- (A) In plain view;
- (B) Mounted in a fixed, stationary position;
- (C) Directed only on the resident who initiated the installation and use of AEM device;
- (D) Placed for maximum protection of the privacy and dignity of the resident and the roommate; and
- (E) In a manner that is safe for residents, employees, or visitors who may be moving about the room. II/III

(10) The facility shall not refuse to admit an individual or discharge a resident because of a request to conduct AEM. II

(11) The facility shall not discharge a resident because unauthorized electronic monitoring is being conducted by or on behalf of a resident. II

(12) The facility shall make reasonable physical accommodation for AEM, including:

- (A) Provide a reasonably secure place to mount the video surveillance camera or other electronic monitoring device; and
- (B) Provide access to power sources for the video surveillance camera or other electronic monitoring device. II

(13) The facility shall ensure all staff are knowledgeable of the applicable laws and rules regarding AEM, sections 198.610 to 198.632, RSMo, including the consequences of hampering, obstructing, tampering with, or destroying an electronic monitoring device without the consent of the resident or resident's guardian or legal representative. III

(14) The facility shall ensure the Electronic Monitoring Device Acknowledgment and Request Form is maintained in the clinical records of the residents using AEM devices. The roommate's consent to the AEM device shall be maintained in his or her clinical record. These forms shall be retained for a period of five (5) years from the date of discharge. III



MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES
DIVISION OF REGULATION AND LICENSURE
SECTION FOR LONG-TERM CARE REGULATION

ELECTRONIC MONITORING DEVICE ACKNOWLEDGMENT AND REQUEST FORM

FORMS AND INSTRUCTIONS

Important Information

A resident or the resident's guardian or legal representative has the right to conduct authorized electronic monitoring (AEM) under sections 198.610 to 198.632, RSMo.

Written notice must be given to the long-term care facility.

The resident or the resident's guardian or legal representative shall complete and give notice via the consent form to the facility of your intent to place and use an AEM device.

To request AEM, the resident or the resident's guardian or legal representative shall:

- Complete this DHSS-DRL-107 (08-20), Electronic Monitoring Device Acknowledgment and Request Form.
- Obtain consent from other residents, if any in your room, using this DHSS-DRL-107 (08-20), Electronic Monitoring Device Acknowledgment and Request Form.
- Give the designated form(s) to the facility administrator/manager or his or her designee (facility representative).

NOTE: Authorized electronic monitoring shall not begin nor an electronic monitoring device be installed until this Electronic Monitoring Device Acknowledgment and Request Form has been completed, signed, and returned to the facility representative.

Complete Applicable Parts of this Form

There are options for who can complete an Electronic Monitoring Device Acknowledgment and Request Form. The requirements and instructions are different for each part. Make sure you choose the part(s) that fits your situation. For example, if you are a resident and have a roommate, you complete the resident's consent to electronic monitoring (Part I) and your roommate completes the roommate's consent to electronic monitoring (Part II).

The three (3) parts of this form are:

- **Part I** Resident's Request and Consent to Electronic Monitoring: *used when a resident consents for him or herself or the resident's guardian or legal representative gives consent.*
- **Part II** Roommate's Consent to Electronic Monitoring: *when the resident shares a room with another person and the roommate is consenting for him or herself or the roommate's guardian or legal representative gives consent.*

NOTE: If a new roommate has moved into the room the authorized electronic monitoring device cannot be used until Part II is completed, signed, and returned by the new roommate to the facility representative.

- **Part III** Revocation of Consent for the Placement and Use of Authorized Electronic Monitoring Device.**

****Part III - Optional.** A resident or a resident's roommate may withdraw AEM consent to electronic monitoring at any time. You may use Part III of this form to communicate to the facility your decision to no longer authorize electronic monitoring in your room.

Installation and Costs

The resident or the resident's guardian or legal representative shall pay for all costs associated with conducting electronic monitoring, except for the costs of electricity. The resident or the resident's guardian or legal representative shall be solely responsible for:

1. All costs associated with installation or removal of equipment incurred by the resident or the facility;
2. Maintaining the equipment; and
3. Internet service or network access to any electronic monitoring device.

Monitoring Device

An electronic monitoring device to be installed as follows:

1. In plain view;
2. Mounted in a fixed, stationary position;
3. Directed only on the resident who initiated the installation and use of AEM device and not the area(s) occupied by the roommate;
4. Placed for maximum protection of the privacy and dignity of the resident and the roommate; and
5. In a manner that is safe for residents, employees, or visitors who may be moving about the room.

Monitoring Device Recordings

1. If the footage is a videotape or recording, the footage MUST show the date and time that the events acquired on the footage occurred.
2. Contents of the tape or recording cannot have been edited or artificially enhanced.
3. If contents of the footage have been transferred from the original format to another technological format, you shall ensure the transfer is done by a qualified professional and that the contents are not altered.



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Signage

If a resident installs and uses an electronic monitoring device, a notice to alert and inform visitors shall be posted.

1. The facility shall clearly and conspicuously post a notice at the main entrance of the facility in large, clearly legible type and font and display the words "Electronic Monitoring" and state: "The rooms of some residents may be monitored electronically by, or on behalf of, the residents and monitoring is not necessarily open or obvious."
2. A resident shall be required to post and maintain a conspicuous notice at the entrance of the resident's room stating: "The room is being monitored by an electronic monitoring device."

Immunity

- No facility shall be civilly or criminally liable for activity or action arising out of the use by any resident or any resident's guardian or legal representative of any electronic monitoring device, including the facility's inadvertent or intentional disclosure of a recording made by a resident, or by a person who consents on behalf of the resident, for any purpose not authorized under sections 198.610 to 198.632, RSMo.
- No facility shall be civilly or criminally liable for a violation of the Health Insurance Portability and Accountability Act (HIPAA) or any resident's right to privacy arising out of any electronic monitoring conducted under sections 198.610 to 198.632, RSMo.
- The department and the facility shall be immune from civil liability in connection with the unauthorized placement or use of an electronic monitoring device in the room of a resident.

FREQUENTLY ASKED QUESTIONS:

WHO may request AEM?

- The resident, if the resident has the capacity to request AEM and has not been judicially declared to lack the required capacity, notwithstanding the terms of any durable power of attorney, general power of attorney, or similar instrument.
- If a resident has been judicially declared to lack the capacity required for taking an action such as requesting electronic monitoring, only the guardian may request AEM.
- If a resident has been determined by a physician to lack capacity to request electronic monitoring but has not been judicially declared to lack the required capacity, only the legal representative of the resident may request AEM.

WHO may consent to AEM?

- Any resident and his or her roommate(s).
- A resident's guardian or legal representative.

Can you change your mind about the installation and use of an electronic monitoring device in your room?

Yes. You or your guardian or legal representative may REVOKE a choice to have or not have a monitoring device installed and used. You may revoke your choice at any time and can give notice of such revocation to the facility. You can use Part III of the attached form, *Revocation of Consent for the Placement and Use of Authorized Electronic Monitoring Device*.

Whose choice is it to have a monitoring device installed and used in your room?

This is a choice that ONLY you and, if applicable, your guardian or legal representative can make.

NOTE: If there is audio recording used it will likely record conversations with staff, other health care providers, family and friends, and other parties in the facility. This may mean private information about finances, family relationships, and protected health information may be recorded.

Can a person/resident be refused admittance or discharged for requesting AEM?

A facility CANNOT deny a person/resident admission to a facility or be discharged just because the person/resident chooses to authorize the installation and use of an electronic monitoring device.

What happens if you want a monitoring device in your room, but your roommate does not want one?

A facility may move a resident requesting AEM to a comparable room to accommodate the request to conduct AEM.

How does AEM affect the reporting of abuse and neglect?

If abuse or neglect is suspected the most important thing is to report it immediately. Abuse and neglect cannot be addressed unless reported.

Adult Abuse and Neglect Hotline: 1-800-392-0210 or https://apps4.mo.gov/APS_Portal/

1. A person is required to report abuse based on that person's viewing of, or listening to footage only if the incident of abuse is acquired on the footage.
2. A person is required to report neglect based on that person's viewing of, or listening to footage only if it is clear from viewing or listening to the footage that neglect has occurred.
3. If abuse or neglect of the resident is reported to the facility, and the facility requests a copy of any relevant footage made by an electronic monitoring device, the person who possesses such footage shall provide the facility with a copy at the facility's expense.



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ELECTRONIC MONITORING DEVICE ACKNOWLEDGMENT AND REQUEST FORM

Authorized Electronic Monitoring in Long-Term Care Facilities Act (sections 198.610 to 198.632, RSMo) permits a resident of a long-term care facility to conduct authorized electronic monitoring of his or her room through the use of an electronic monitoring device.

If a resident wants to conduct electronic monitoring in her or his room, the resident, the resident's guardian, or the resident's legal representative shall complete and sign Part I of this form. If the resident has a roommate or roommates, each roommate shall complete and sign Part II to document his or her consent before an electronic monitoring device can be installed in the resident's room.

PART I – RESIDENT'S REQUEST AND CONSENT FOR ELECTRONIC MONITORING

This form shall be completed and signed by or on behalf of the resident and given to a facility representative prior to the installation of, or any use of, an electronic monitoring device in the facility.

NAME OF RESIDENT	ROOM NUMBER
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NAME OF RESIDENT'S GUARDIAN OR LEGAL REPRESENTATIVE (IF RESIDENT DOES NOT HAVE CAPACITY TO CONSENT)

This serves as notice to _____
(NAME AND LOCATION OF FACILITY)

that I have chosen to place and use an authorized electronic monitoring device in the resident room indicated above in accordance with the Authorized Electronic Monitoring in Long-Term Care Facilities Act.

The date I would like the electronic monitoring device installed is _____.

Type of electronic monitoring device I am planning to install (check any that apply):

- audio only
- video only
- audio and video

Upon installation, an authorized electronic monitoring device shall adhere to the following:

1. The placement and use shall be open and obvious.
2. Mounted in a fixed, stationary position.
3. Directed only on the resident who initiated the installation and use of the authorized electronic monitoring device.
4. Placed for maximum protection of the privacy and dignity of the resident and the roommate.
5. Placed in a manner that is safe for residents, employees, or visitors who may be moving about the room.

I understand that I may place conditions or restrictions on the electronic monitoring device. The conditions or restrictions I want to place on the electronic monitoring are (check any that apply):

- Prohibit audio recording;
- Prohibit broadcasting of audio or video;
- Turn off the electronic monitoring device or block the visual recording component of the electronic monitoring device for the duration of an exam or procedure by a health care professional;
- Turn off the electronic monitoring device or block the visual recording component of the electronic monitoring device while dressing, bathing, or toileting is performed;
- Turn the electronic monitoring device off for the duration of a visit with a spiritual advisor, ombudsman, attorney, financial planner, intimate partner, or other visitor;
- Other _____

I understand that the resident or the resident's guardian or legal representative shall pay for all costs associated with conducting electronic monitoring, except for the costs of electricity. The resident or the resident's guardian or legal representative shall be responsible for all costs associated with installation of equipment incurred by the resident or the facility and maintaining the equipment.

I understand that a person who places an electronic monitoring device in the room of a resident or who uses or discloses a tape or other



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recording made by the device may be civilly liable for any unlawful violation of the privacy rights of another.

I understand that a person, who, without authorization, places an electronic monitoring device in the room of a resident or who consents to or acquiesces in the unauthorized placement of the device in the room of a resident has waived any privacy right the person may have had in connection with images or sounds that may be acquired by the device.

I understand that a resident or the resident's guardian or legal representative is entitled to conduct authorized electronic monitoring, and that if the facility refuses to permit the electronic monitoring or fails to make reasonable physical accommodations for the authorized electronic monitoring, the person should contact the Department at 1-800-392-0210 or https://apps4mo.gov/APS_Portal/.

I understand that a person is required to report abuse based on the person's viewing of, or listening to, footage only if the incident of abuse is acquired on the footage. A person is required to report neglect based on the person's viewing of, or listening to, footage only if it is clear from viewing or listening to the footage that neglect has occurred. If abuse or neglect of the resident is reported to the facility, and the facility requests a copy of any relevant footage made by an electronic monitoring device, the person who possesses the footage shall provide the facility with a copy at the facility's expense.

I understand that I am required by law to post and maintain a notice at the entrance of the resident's room to signify that the resident's room is being monitored by an electronic monitoring device.

I hereby release the facility from any civil liability for a violation of my/resident's privacy rights in connection with the use of the electronic monitoring device.

I hereby request and consent to the placement and use of an electronic monitoring device in my room in accordance with Chapter 198, RSMo.

Does the resident have a roommate? Yes* No

*If yes, Part II Roommate's Consent to Allow Electronic Monitoring form shall be completed and signed before an electronic monitoring device can be placed and used in the resident's room.

A person may be subject to a Class B misdemeanor if he or she:

- Intentionally hamper, obstruct, tamper with or destroy a recording or an authorized electronic monitoring device placed in a resident's room without the consent of the resident or the resident's guardian or legal representative.

A person may be civilly liable if he or she:

- Unlawfully violate the privacy rights of another by placing an electronic monitoring device in the room of a resident or by using or disclosing a tape or other recording made by the device.

By signing this form, you attest that you understand and consent to electronic monitoring under terms and conditions provided above and in accordance with the Authorized Electronic Monitoring in Long-Term Care Facilities Act (sections 198.610 to 198.632, RSMo).

(This form may be signed only by the resident or the resident's guardian or legal representative.)

SIGNATURE OF RESIDENT OR RESIDENT'S GUARDIAN OR LEGAL REPRESENTATIVE	DATE
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PART II – ROOMMATE'S CONSENT TO ALLOW ELECTRONIC MONITORING

If the resident has a roommate, Part II shall be completed, signed and given to a facility representative before an authorized electronic monitoring device can be placed and used in the resident's room. If a new roommate has moved into the room who has not yet consented to the electronic monitoring, the authorized electronic monitoring device shall cease until the new resident has consented.

I, _____ live in the same room as
(ROOMMATE NAME)

_____, room number _____
(RESIDENT NAME)

at _____
(NAME AND LOCATION OF FACILITY)

I understand that _____
(RESIDENT NAME)

wants to place and use an authorized electronic monitoring device in the room.

NAME OF ROOMMATE'S GUARDIAN OR LEGAL REPRESENTATIVE (IF ROOMMATE DOES NOT HAVE CAPACITY TO CONSENT)

- Yes, I **consent** to the placement and use of an authorized electronic monitoring device in the room. I understand that:
- a. The placement and use shall be open and obvious.
 - b. The authorized electronic monitoring device shall be in a fixed, stationary position.
 - c. The authorized electronic monitoring device shall be directed only on the resident who initiated the installation and use of the authorized electronic monitoring device.
 - d. The authorized electronic monitoring device shall be placed for maximum protection of the privacy and dignity of the resident and the roommate.
 - e. The authorized electronic monitoring device shall be installed in a manner that is safe for residents, employees, or visitors who may be moving about the room.
- No, I **do not consent** to the placement and use of an authorized electronic monitoring device in the room.

**If you do not consent to the placement and use of an authorized electronic monitoring device, return this to the facility representative. You do not need to complete the remainder of the form.



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ELECTRONIC MONITORING DEVICE ACKNOWLEDGMENT AND REQUEST FORM**Condition Consent:**

1) When the proposed electronic monitoring device is a video surveillance camera, condition consent on the camera being pointed away from the consenting resident.

- Yes, I want the camera pointed away from my side of the room.
 No, I have no condition on placement.

2) Condition consent on the use of an audio electronic monitoring device being limited or prohibited.

- Yes, I want limitations noted below:

-
- Yes, I want to prohibit audio surveillance in my room.
 No, I have no condition on placement.

3) I hereby release the facility from any civil liability for a violation of my right to privacy in connection with the use of the electronic monitoring device.

A person may be subject to a Class B misdemeanor if he or she:

- Intentionally hamper, obstruct, tamper with or destroy a recording or an authorized electronic monitoring device placed in a resident's room without the express written consent of the resident or the resident's guardian or legal representative.

A person may be civilly liable if he or she:

- Unlawfully violate the privacy rights of another by placing an electronic monitoring device in the room of a resident or by using or disclosing a tape or other recording made by the device.

By signing this form, you attest that you understand and consent to electronic monitoring under terms and conditions provided above and in accordance with the Authorized Electronic Monitoring in Long-Term Care Facilities Act (sections 198.610 to 198.632, RSMo).

SIGNATURE OF ROOMMATE OR ROOMMATE'S GUARDIAN OR LEGAL REPRESENTATIVE	DATE
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ELECTRONIC MONITORING DEVICE ACKNOWLEDGMENT AND REQUEST FORM

PART III – REVOCATION OF CONSENT FOR THE PLACEMENT AND USE OF AN AUTHORIZED ELECTRONIC MONITORING DEVICE

I, _____
(NAME OF RESIDENT OR RESIDENT'S GUARDIAN OR LEGAL REPRESENTATIVE)

OR

I, _____
(NAME OF ROOMMATE OR ROOMMATE'S GUARDIAN OR LEGAL REPRESENTATIVE)

hereby revoke my consent for an authorized electronic monitoring device to be placed and used in the room. The authorized electronic monitoring device must be disabled in compliance with the facility's standards upon receipt of this written revocation notice of the consent.

SIGNATURE OF RESIDENT OR RESIDENT'S GUARDIAN OR LEGAL REPRESENTATIVE	DATE
--	------

OR

SIGNATURE OF ROOMMATE OR ROOMMATE'S GUARDIAN OR LEGAL REPRESENTATIVE	DATE
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AUTHORITY: sections 198.612, 198.616, 198.620, 198.622, and 198.626, RSMo Supp. 2020. Emergency rule filed Aug. 20, 2020, effective Sept. 3, 2020, expires March 1, 2021. Original rule filed Aug. 20, 2020.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions forty-five thousand eight hundred eighty dollars (\$45,880) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities one million thirty-seven thousand one dollars (\$1,037,001) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Craig Schnieders, Interim Director of the Division of Regulation and Licensure, PO Box 570, Jefferson City, MO 65102-0570 or at Terri.Bass@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Department of Health and Senior Services**
Division Title: Division of Regulation and Licensure
Chapter Title: 19 CSR 30-91.010 Authorized Electronic Monitoring in Long Term Care Facilities

Rule Number and Title:	19 CSR 30-91.010 Authorized Electronic Monitoring in Long Term Care Facilities
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
(34) Skilled Nursing Facilities	\$40,129.20 annually
(15) Residential Care Facilities and Assisted Living Facilities	\$5,751.00 annually
TOTAL COSTS =	\$45,880.20 annually

III. WORKSHEET

Designated facility staff person

Median wages were used to calculate the average pay per hour for a designated facility staff person:

Manager/Administrator: \$47.26 per hour
Licensed Practical Nurse (LPN): \$22.23 per hour
Registered Nurse (RN): \$35.24 per hour.
Social Services “designee”: \$23.07 per hour

$\$47.26 + \$22.23 + \$35.24 + \$23.07 / 4 = \$31.95$ average pay per hour for a designated facility staff person.

34 SNFs with a combined total of 3,139 licensed beds (residents) \times 40% = 1256 residents choosing to utilize electronic monitoring devices.

15 public RCFs and ALFs with a combined total of 449 licensed beds (residents) \times 40% = 180 residents choosing to utilize electronic monitoring devices.

Costs of a designed facility staff person on public SNFs

One (1) facility staff person @ \$31.95 per hour for one (1) hour \times 1256 residents of 34 public owned SNFs = \$40,129.20

Costs of a designed facility staff person on public RCF/ALFs

One (1) facility staff person @\$31.95 per hour for one (1) hour x 180 residents of 15 public owned RCFs/ALFs = \$5,751.00

Total for costs for public entities (RCF/ALF/SNF) to designate a staff person for oversight/management to ensure appropriate placement of an electronic monitoring device and to ensure the required prescribed form is properly completed, signed, and placed in the resident's medical record: \$40,129.20+ \$ 5,751 = **\$45,880.20**

IV. ASSUMPTIONS

At least one (1) designated facility staff person will be needed for oversight/management to ensure appropriate placement of an electronic monitoring device and that the required prescribed form is properly completed, signed, and placed in the resident's medical record. The department assumes the facility may designate a manager/administrator, a licensed nurse, or a social services "designee" to complete this task. Furthermore, the department assumes it will take this designated staff person at least one (1) hour to review the prescribed form for completeness, file the form in the resident's medical record, and then work with the resident or their representative to determine appropriate placement of the electronic monitoring device.

The department is estimating once the emergency rule period ends on February 28, 2021 the number of residents or the resident's guardian or legal representative requesting to place an electronic monitoring device in the resident's room and the number of required forms needing to be completed will decrease. It is estimated on an annual basis at least forty percent (40%) of residents will need to have the required form completed to install an electronic monitoring device. This number is high because the Department has received an overwhelming response from families asking questions about this new law and expressing a desire to place electronic monitoring devices into their loved ones' rooms. Finally, as residents move in and out of facilities, move rooms and roommates change, then forms will have to be completed based on the situation.

There are currently 34 public owned skilled nursing care facilities (SNFs) and 0 public owned intermediate care facilities that are licensed by the department:

Licensed ICFs = 0

Licensed SNFs = 34

There are currently 15 public owned residential care facilities (RCFs) and assisted living facilities (ALFs) that are licensed by the department:

Licensed RCFs/RCF IIs = 11

Licensed ALFs = 4

There are 0 public owned ICFs and 34 SNFs with a combined total of 3,139 licensed beds. The department estimates at least forty percent (40%) of residents, the residents' guardians or legal representatives will request to place and use an electronic monitoring device in the residents' rooms which would be 1,256 licensed beds/residents.

There are 15 public RCFs and ALFs with a combined total of 449 licensed beds. The department estimates at least forty percent (40%) of residents, or the residents' guardians

or legal representatives will request to place and use an electronic monitoring device in the residents' rooms which would be 180 licensed beds/residents.

The Department is not including the costs a facility may incur as a result of proper placement of residents' electronic monitoring devices because section 198.622, RSMo requires that the resident or the resident's guardian or legal representative is responsible to pay for all costs associated with conducting electronic monitoring, except for the costs of electricity.

The Department is also not including the costs of the facility to ensure all staff are knowledgeable of the applicable laws as this can be completed during in-service trainings that is already occurring or through other methods of training the facilities already utilize with their employees.

The Department is not including costs for the facility staff to help control (turn off and on) the electronic monitoring devices as indicated by the resident and any of the resident's roommates on their respective electronic monitoring forms. Any assistance that staff may provide to help control (turn off and on) the electronic monitoring devices will be part of the care already being given to the residents and roommates for activities of daily living. For example, a certified nurse assistant may turn off the electronic monitoring device before dressing a resident who has an electronic monitoring device pointed towards the resident because the resident checked the box on the resident's electronic monitoring device form electing to have the electronic monitoring device turned off when dressing.

Finally, the Department is not including costs to the facility or to the family to post electronic monitoring notices as these notices can be done on paper that the facility or families already have at their disposal.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Department of Health and Senior Services
Division Title: Division of Regulation and Licensure
Chapter Title: 19 CSR 30-91.010 Authorized Electronic Monitoring in Long Term Care Facilities**

Rule Number and Title:	19 CSR 30-91.010 Authorized Electronic Monitoring in Long Term Care Facilities
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
505	Intermediate Care Facilities and Skilled Nursing Facilities	\$689,129.55 annually
636	Residential Care Facilities and Assisted Living Facilities	\$347,871.60 annually
	TOTAL COSTS =	\$1,037,001.10 annually

III. WORKSHEET

Designated facility staff person on private entities

Median wages were used to calculate the average pay per hour for a designated facility staff person:

$$\begin{aligned}
 &\text{Manager/Administrator: \$47.26 per hour} \\
 &\text{Licensed Practical Nurse (LPN): \$22.23 per hour} \\
 &\text{Registered Nurse (RN): \$35.24 per hour.} \\
 &\text{Social Services "designee": \$23.07 per hour} \\
 &= \$47.26 + \$22.23 + \$35.24 + \$23.07/4 = \$31.95 \text{ per hour.}
 \end{aligned}$$

505 private ICFs and SNFs with a combined total of 53,922 licensed beds $\times .40 = 21,569$ licensed beds/residents who will utilize electronic monitoring devices.

636 private RCFs and ALFs with a combined total of 27,220 licensed beds $\times .40 = 10,888$ licensed beds/residents who will utilize electronic monitoring devices.

Costs of a designed facility staff person on private ICF/SNFs

One (1) facility staff person @ \$31.95 per hour for one (1) hour x 21,569 residents =
\$689,129.55

Costs of a designed facility staff person on private RCF/ALFs

One (1) facility staff person @ \$31.95 per hour for one (1) hour x 10,888 residents =
\$347,871.60

Total for costs for private (RCF/ALF/ICF/SNF) entities to designate a staff person for oversight/management to ensure appropriate placement of an electronic monitoring device and to ensure the required prescribed form is properly completed, signed, and placed in the resident's medical record: \$689,129.55 + \$347,871.60 = \$1,037,001.10

IV. ASSUMPTIONS

At least one (1) designated facility staff person will be needed for oversight/management to ensure appropriate placement of an electronic monitoring device and to ensure the required prescribed form is properly completed, signed, and placed in the resident's medical record. The department assumes the facility may designate a manager/administrator, a licensed nurse, or a social services "designee" to complete this task. Furthermore, the department assumes it will take this designated staff person at least one (1) hour to review the prescribed form for completeness, file the form in the resident's medical record, and then determine appropriate placement of the electronic monitoring device.

The department is estimating once the emergency rule period ends on February 28, 2021 the number of residents or the resident's guardian or legal representative requesting to place an electronic monitoring device in the resident's room and the number of required forms needing to be completed will decrease. It is estimated on an annual basis at least forty percent (40%) of residents will need to have the required form completed to install an electronic monitoring device.

There are 505 private ICFs and SNFs with a combined total of 53,922 licensed beds. The department estimates at least forty percent (40%) of resident's, or the resident's guardian or legal representative will request to place and use an electronic monitoring device in the resident's room which would be 21,569 licensed beds/residents.

There are 636 private RCFs and ALFs with a combined total of 27,220 licensed beds. The department estimates at least forty percent (40%) of resident's, or the resident's guardian or legal representative will request to place and use an electronic monitoring device in the resident's room which would be 10,888 licensed beds/residents.

This fiscal note does not include costs a facility may incur as a result of proper placement of a residents electronic monitoring device because section 198.622, RSMo requires that the resident or the resident's guardian or legal representative is responsible to pay for all costs associated with conducting electronic monitoring, except for the costs of electricity.

The Department is also not including the costs of the facility to ensure all staff are knowledgeable of the applicable laws as this can be completed during in-service trainings

that already occurring or through other methods of training the facilities already utilize with their employees.

The Department is not including costs for the facility staff to help control (turn off and on) the electronic monitoring devices as indicated by the resident and any of the resident's roommates on their respective electronic monitoring forms. Any assistance that staff may provide to help control (turn off and on) the electronic monitoring devices will be part of the care already being given to the residents and roommates for activities of daily living. For example, a certified nurse assistant may turn off the electronic monitoring device before dressing a resident who has an electronic monitoring device pointed towards the resident because the resident checked the box on the resident's electronic monitoring device form electing to have the electronic monitoring device turned off when dressing.

Finally, the Department is not including costs to the facilities to post electronic monitoring notices as these notices can be done on paper that the facilities already have at their disposal.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**
Division 500—Property and Casualty
Chapter 4—Rating Laws

PROPOSED AMENDMENT

20 CSR 500-4.200 Rate and Supplementary Rates Information Filings. The director is amending the forms which follow the rule as exhibits in the *Code of State Regulations* and deleting the actual amount of the filing fee in Exhibit A.

PURPOSE: This proposed amendment will accurately reflect filing fees as stated in 374.230(6) RSMo, updated on January 1, 2019 and allows for text within the exhibits to be more legible.

(4) Required Filing Documents. All insurer filings which refer to a rating organization prospective loss costs reference filing shall include, in the order listed, the following documents:

- (A) Reference Filing Adoption Form (Exhibit A);
- (B) Summary of Supporting Information Form (Exhibit B);
- (C) Expense Constant Supplement Form (Exhibit C, if needed);

and

Exhibit A

Space Reserved for Insurance Department Use

Date: _____
 Insurer Rate Filing
 Adoption of Advisory Organization
 Prospective Loss Costs
 Reference Filing Adoption Form

1. INSURER NAME & ADDRESS _____

PERSON RESPONSIBLE FOR FILING _____

TITLE _____ TELEPHONE # _____

2. INSURER NAIC # _____

3. LINE OF INSURANCE _____

4. ADVISORY ORGANIZATION _____

5. ADVISORY ORGANIZATION REFERENCE FILING # _____

6. The above insurer hereby declares that it is a member, subscriber or service purchaser of the named advisory organization for this line of insurance. The insurer hereby files to be deemed to have independently submitted as its own filing the prospective loss costs in the captioned Reference Filing.

The insurer's rates will be the combination of the prospective loss costs and the loss costs multipliers and, if utilized, the expense constants specified in the attachments.

7. PROPOSED RATE LEVEL CHANGE _____ % EFFECTIVE DATE _____

8. PRIOR RATE LEVEL CHANGE _____ % EFFECTIVE DATE _____

9. ATTACH "SUMMARY OF SUPPORTING INFORMATION FORM"

(Use a separate Summary for each insurer--selected loss cost multiplier)

10. CHECK ONE OF THE FOLLOWING-

- The insurer hereby files to have its loss cost multipliers and, if utilized, expense constants be applicable to future revisions of the advisory organization's prospective loss costs for this line of insurance. The insurer's rates will be the combination of the advisory organization's prospective loss costs and the insurer's loss cost multipliers and, if utilized, expense constants specified in the attachments. The rates will apply to policies written on or after the effective date of the advisory organization's prospective loss costs. This authorization is effective until disapproved by the Director, or amended or withdrawn by the insurer.
- The insurer hereby files to have its loss costs multipliers and, if utilized, expense constants be applicable only to the above Advisory Organization Reference Filing.

11. Attach filing fee. Section 374.230 (6), RSMo.

Exhibit B

Insurer Name: _____
NAIC Number: _____

Date: _____

Insurer Rate Filing
Adoption of Advisory Organization Prospective Loss Costs
Summary of Supporting Information Form

Calculation of Company Loss Cost Multiplier

1. Line, Subline, Coverage, Territory, Class, etc. combination to which this page applies:

2. Lost Cost Modification:

A. The insurer hereby files to adopt the prospective loss costs in the captioned reference filing:
(CHECK ONE)

Without modification (factor = 1.000)

With the following modifications (s). (Cite the nature and percent modification, and attach supporting data, rationale, or both, for the modification.)

B. Loss Cost Modification Expressed as a Factor

(See examples below.)

NOTE: If Expense Constants Are Utilized, Attach "Expense Constants Are Utilized, Attach Constant Supplement" Or Other Supporting Information. Do Not Complete Items 3---7 Below.

3. Development of Expected Loss Ration. (Attach exhibit detailing insurer expense data or other supporting information or both.)

Selected Provisions

- | | |
|--|---------|
| A. Total Production Expense | _____ % |
| B. General Expense | _____ % |
| C. Taxes, Licenses & Fees | _____ % |
| D. Underwriting Profit & Contingencies | _____ % |
| E. Other (explain) | _____ % |
| F. TOTAL | _____ % |

4A. Expected Loss Ratio: ELR = 100% - 3F = _____ %

4B. ELR in decimal form = _____

5. Company Formula Loss Cost Multiplier. (2B / 4B) = _____

6. Company Selected Loss Cost Multiplier = _____
Explain any differences between 5 and 6:

7. Rate level change for the coverages to which this page applies _____ %

Example 1: Loss Cost modification factor: If your company's loss cost modification is -10%, a factor of .90 (1.000 - .100) should be used.

Example 2: Loss Cost modification factor: If your company's loss cost modification is +15%, a factor of 1.15 (1.000 + .150) should be used.

Exhibit C

Date: _____

Insurer Name: _____
NAIC Number: _____Expense Constant Supplement
Calculation of Company Loss Cost Multiplier with Expense Constants

3. Development of Expected Loss Ratio. (Attach exhibit detailing insurer expense data, or other supporting information, or both.)

	Overall	Variable	Fixed
	Selected Provisions		
A. Total Production Expense	_____	_____	_____
B. General Expense	_____	_____	_____
C. Taxes, License & Fees	_____	_____	_____
D. Underwriting Profit & Contingencies	_____	_____	_____
E. Other (explain)	_____	_____	_____
F. TOTAL	_____	_____	_____

4. A. Expected Loss Ratio: ELR = 100% - Overall 3F = _____

B. ELR expressed in decimal form = _____

C. Variable Expected Loss Ratio VELR = 100% - Variable 3F = _____

D. VELR in decimal form = _____

5. Formula Expense Constant:

[(1.00 ÷ 4B) – (1.00 : 4D)] × Average Underlying Loss Cost = _____

Formula Variable Loss Cost Multiplier: (2B : 4D) = _____

6. Selected Expense Constant = _____

Selected Variable Loss Cost Multiplier = _____

7. Explain any differences between 5 and 6:

8. Rate level change for the coverages to which this page applies _____ %

AUTHORITY: sections 374.045, 379.316, [and 379.321, RSMo 1986 and] 379.882, and 379.888, RSMo [Supp. 1990] 2016, and section 379.321, RSMo Supp. 2020. This rule was previously filed as 4 CSR 190-16.045. Original rule filed Jan. 17, 1990, effective May 1, 1990. Amended: Filed Aug. 21, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Commerce and Insurance, Attention: Stewart Freilich, PO Box 690, Jefferson City, Missouri 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 9:30 am, November 4, 2020, at 301 W. High Street, Room 530, Jefferson City, MO 65101.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules

PROPOSED RULE

20 CSR 2220-2.195 Prospective Drug Utilization Review

PURPOSE: This rule establishes requirements for prospective drug utilization review prior to dispensing a prescription or medication order.

(1) **Prospective Drug Review.**

(A) Prior to dispensing or otherwise approving medication for patient use, pharmacists shall use their professional judgment to review available patient records to assess therapeutic appropriateness.

(B) The pharmacist shall take appropriate steps within their professional judgment to address or resolve identified therapeutic appropriateness issues. Prospective drug review may only be performed by a pharmacist or an intern pharmacist working under the supervision of a Missouri licensed pharmacist.

AUTHORITY: sections 338.100 and 338.280, RSMo 2016, and sections 338.035 and 338.140, RSMo Supp. 2020. Original rule filed Sept. 1, 2020.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities approximately three hundred thirty thousand three hundred sixty-one dollars and fifty cents (\$330,361.50) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this rule in the Missouri Register. No public hearing is scheduled.

FISCAL NOTE

PRIVATE COST

- I.** **Department Title:** **Department of Commerce and Insurance**
Division Title: **State Board of Pharmacy**
Chapter Title: **General Rules**

Rule Number and Title:	20 CSR 2220-2.195 Prospective Drug Utilization Review	
Type of Rulemaking:	Proposed Rule	

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
1,538	Resident Missouri Pharmacies	\$ 330,361.50 <i>recurring annually over the life of the rule</i>

III. ASSUMPTIONS/WORKSHEETS

The following general estimations were used to calculate private fiscal costs:

1. Based on staff research and licensee feedback, drug utilization review (DUR) is currently required for designated Medicare patients, and by private insurers and third-party accreditation entities (e.g., Joint Commission). Additionally, a Board survey revealed the majority of Missouri hospitals and larger chain pharmacies currently require a DUR pursuant to their internal policies/procedures. Further, a significant number of pharmacy electronic systems are equipped with electronic DUR capabilities that will substantially assist pharmacists with DUR functions.
2. Approximately 1,538 resident Missouri pharmacies were licensed by the Board at the end of FY 19. Based on the above feedback and research, the Board estimates 99% of all Missouri resident pharmacies are currently performing a prospective DUR, as required by the rule and will not be fiscally impacted. The Board estimates the remaining 1% of Missouri resident pharmacies, or fifteen (15) pharmacies, will be required to take additional measures to comply with the proposed DUR requirements.
3. The Board estimates an average of one (1) hour of additional pharmacist time would be needed to perform the required DUR, for each of the estimated 15 pharmacies not currently in compliance with the rule. An hourly pharmacist salary of \$ 60.34 is estimated based on 2019 data from the United States Bureau of Labor Statistics Occupational Employment and Wages.
4. Accordingly, the Board estimates private fiscal impact of \$ 330,361.50 per year, recurring annually over the life of the rule (\$60.34 pharmacist hourly salary x 1 hour x 365 days per year x 15 resident pharmacies).
5. Total estimated costs may vary with inflation and increase at the rate projected by the Legislative Oversight Committee.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2220—State Board of Pharmacy Chapter 3—Negative Generic Drug Formulary

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.280, RSMo 2016, the board amends a rule as follows:

20 CSR 2220-3.040 Return and Reuse of Drugs and Devices is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2020 (45 MoReg 947-948). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the proposed amendment.

COMMENT #1: G.L.O. & Associates recommended the board add an additional subsection to the rule to prohibit commingling of return-to-stock medication with different National Drug Code (NDC) numbers in the same unit, container or cartridge, “unless the change in NDC number only relates to a different package size.”

RESPONSE: The board believes additional research/licensee engagement is needed to determine when a new NDC is assigned and if the reasons for a change in NDC number would be readily known by a pharmacist. As a result, no changes have been made in response to

the comment at this time. However, the board will take the comment under advisement during its future deliberations on pharmacy operational standards. The board will also educate licensees to ensure appropriate staff training/education once the rule becomes effective.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2250—Missouri Real Estate Commission Chapter 5—Fees

ORDER OF RULEMAKING

By the authority vested in the Missouri Real Estate Commission under section 339.120, RSMo Supp. 2019, the commission amends a rule as follows:

20 CSR 2250-5.020 Application and License Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2020 (45 MoReg 948-950). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2263—State Committee for Social Workers Chapter 1—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.627, RSMo Supp. 2019, the committee amends a rule as follows:

20 CSR 2263-1.035 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2020 (45 MoReg 951-952). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Missouri Department of Revenue

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Taxation Division**EI0130**

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Construction Transient Employer Listing

The following is a list of all construction contractors performing work on construction projects in Missouri who are known by the Department of Revenue to be transient employers pursuant to Section 285.230, RSMo. This list is provided as a guideline to assist public bodies with their responsibilities under this section that states, "any county, city, town, village or any other political subdivision which requires a building permit for a person to perform certain construction projects shall require a transient employer to show proof that the employer has been issued a tax clearance and has filed a financial assurance instrument as required by Section 285.230 before such entity issues a building permit to the transient employer."

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
2 POINT CONSTRUCTION CO LLC	110 GREYSTONE AVE		KANSAS CITY	KS	66103-1355
3 LLC	1 BEACON ST FL 23		BOSTON	MA	02108-3106
4MC CORPORATION	8040 JORDAN RD		OAKLEY	IL	62501-6999
5K INDUSTRIAL SOLUTIONS INC	2981 SAHARA CIR		FITCHBURG	WI	53711-5848
A & B PROCESS SYSTEMS CORP	212700 STAINLESS AVE		STRATFORD	WI	54484-4324
A & K CONSTRUCTION SERVICES INC	100 CALLOWAY CT		PADUCAH	KY	42001-9035
A AND M ENGINEERING AND ENVIRONMENTAL SERVICES INC	10010 E 16TH ST		TULSA	OK	74128-4611
A EPSTEIN & SONS INTERNATIONAL INC	600 W FULTON ST STE 800		CHICAGO	IL	60661-1254
A I INTERNATIONAL INC	8055A NATIONAL TPKE		LOUISVILLE	KY	40214-5201
ABSOLUTE CONSTRUCTION INC	954 KENNEDY AVE		SCHERERVILLE	IN	46375-7100
ABSOLUTE ROOFSEAL LLC	1143 S HIGHWAY 30		BLAIR	NE	68008-2325
ACADEMY ROOFING & SHEET METAL OF THE MIDWEST INC	6361 NE 14TH ST		DES MOINES	IA	50313-1212

Missouri Department of Revenue

Run Date : 8/25/2020 8:02:33 AM

EI0130

Taxation Division

Show Secretary of State Cover: Yes

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
ACCESS LIMITED CONSTRUCTION COMPANY	1102 PIKE LN		OCEANO	CA	93445-9403
ACCESS RIGGING LLC	514 ANCLOTE RD		TARPON SPGS	FL	34689-6701
ACCESSIBILITY REMODELING LLC	3112 MERRIAM LN		KANSAS CITY	KS	66106-4616
ACE AIR CONDITIONING INC	2985 ENTERPRISE RD STE A		DEBARY	FL	32713-2710
ACE SIGN COMPANY	2540 S 1ST ST		SPRINGFIELD	IL	62704-4700
ACE/AVANT CONCRETE CONSTRUCTION CO INC	PO BOX 14006		ARCHDALE	NC	27263-7006
ACRONYM MEDIA INC	350 5TH AVE STE 6500		NEW YORK	NY	10118-6500
ADVANCE ELECTRIC INC	353 N INDIANA AVE		WICHITA	KS	67214-4034
ADVANCED EROSION SOLUTIONS LLC	15257 S KEELER ST		OLATHE	KS	66062-2714
AE MFG INC	6468 N YALE AVE		TULSA	OK	74117-2411
AES MECHANICAL SERVICES	PO BOX 780115		TALLASSEE	AL	36078-0014
AG PROPERTY SOLUTIONS	PO BOX 96		EMMETSBURG	IA	50536-0096
AH BECK FOUNDATION CO INC	5123 BLANCO RD		SAN ANTONIO	TX	78216-7098
AHRS CONSTRUCTION INC	533 RAILROAD ST		BERN	KS	66408-8006
AIR CONTROL TECHNIQUES, P.C.	301 E DURHAM RD		CARY	NC	27513-4044
ALABEK COMMERCIAL ROOFING CORP	4030 WILLIAM FLYNN HWY		ALLISON PARK	PA	15101-3002
ALBERTINE COMPANY LLC	2176 WEST ST STE 207		GERMANTOWN	TN	38138-3859
ALDRIDGE ELECTRIC INC	844 E ROCKLAND RD		LIBERTYVILLE	IL	60048-3358
ALL AMERICAN SCAFFOLD LLC	51 WASHINGTON AVE		DES MOINES	IA	50314-3642

Missouri Department of Revenue

Run Date : 8/25/2020 8:02:33 AM

Taxation Division**EI0130**

Show Secretary of State Cover: Yes

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
ALL AMERICAN TRACK INC	PO BOX 186		ASH FORK	AZ	86320-0186
ALL PURPOSE ERECTORS INC	1112 STARLIFTER DR		LEBANON	IL	62254-2724
ALL SERVICE CONTRACTING CORP	2024 E DAMON AVE		DECATUR	IL	62526-4749
ALL STAR ELECTRIC NA LLC	PO BOX 450879		GROVE	OK	74345-0879
ALLENTECH INC	6350 HEDGEWOOD DR UNIT 100		ALLENTOWN	PA	18106-9257
ALLIANCE GLAZING TECHNOLOGIES, INC.	646 FORESTWOOD DR		ROMEovILLE	IL	60446-1378
ALLIANCE RETAIL CONSTRUCTION INC	6000 CLARK CENTER AVE		SARASOTA	FL	34238-2716
ALLIED CORROSION INDUSTRIES INC	1550 COBB INDUSTRIAL DR		MARIETTA	GA	30066-6625
ALSTON CONSTRUCTION COMPANY INC	8775 FOLSOM BLVD STE 201		SACRAMENTO	CA	95826-3725
AMC INSPECTION & LOCATORS	PO BOX 592		BEEBE	AR	72012-0592
AMERICA 9 CONSTRUCTION LLC	19015A WILKS DR		CYPRESS	TX	77433-4348
AMERICAN BRIDGE COMPANY	1000 AMERICAN BRIDGE WAY		CORAOPOLIS	PA	15108-1266
AMERICAN HYDRO CORPORATION	PO BOX 3628		YORK	PA	17402-0136
AMERICAN LIFT & SIGN SERVICE COMPANY	6958 N 97TH CIR		OMAHA	NE	68122-1060
AMERICAN PRESERVATION BUILDERS LLC	8111 ROCKSIDE RD STE 101		CLEVELAND	OH	44125-6130
AMERICAN ROOFING	2500 S 2ND ST		LEAVENWORTH	KS	66048-4542

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Show Secretary of State Cover: Yes

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
AMERICAN SEALANTS INC	2483 RIVERSIDE PKWY		GRAND JCT	CO	81505-1319
AMERICOM WEST INC	2910 WATERS RD STE 170		EAGAN	MN	55121-1587
AMES CONSTRUCTION INC	14420 COUNTY ROAD 5		BURNSVILLE	MN	55306-6997
ANCHOR SIGN INC	PO BOX 22737		CHARLESTON	SC	29413-2737
ANDRITZ HYDRO CORP.	10735 DAVID TAYLOR DR STE 500		CHARLOTTE	NC	28262-1289
ANTEX ROOFING COMPANY INC	1360 HUGH RD		HOUSTON	TX	77067-1598
ANTIGO CONSTRUCTION INC	2520 CLERMONT ST		ANTIGO	WI	54409-2931
AP FABRICATIONS LLC	801 E 2ND ST		STUTTGART	AR	72160-3836
AP PROFESSIONALS OF PHOENIX LLC	350 LINDEN OAKS		ROCHESTER	NY	14625-2807
APPLE ELECTRIC INTEGRATED SOLUTIONS INC	PO BOX 998		LOUISBURG	KS	66053-0998
APPLIED POLYMERICS INC	131 SAINT JAMES WAY		MOUNT AIRY	NC	27030-6068
AR CONSTRUCTION LLC	PO BOX 1171		HOOKER	OK	73945-1171
ARACREBS1 LLC	PO BOX 1670		SPRINGDALE	AR	72765-1670
ARCHER WESTERN CONTRACTORS LLC	PAYOUT 929 W ADAMS ST		CHICAGO	IL	60607
ARCHON CONSTRUCTION CO., INC.	563 S ROUTE 53		ADDISON	IL	60101-4236
ARCHWALL LLC	PO BOX 38		STRAWBERRY PT	IA	52076-0038
ARCO DESIGN BUILD MIDWEST INC	900 N ROCK HILL RD		SAINT LOUIS	MO	63119-1315
ARISTEO CONSTRUCTION COMPANY	12811 FARMINGTON RD		LIVONIA	MI	48150-1607

Missouri Department of Revenue

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Show Secretary of State Cover: Yes

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
ARNDT ENTERPRISES INC	2579 195TH ST		DE WITT	IA	52742-9114
ARROW SIGNS & OUTDOOR ADVERTISING INC	4545 N ALBY STREET		ALTON	IL	62002
ARVOS LJUNGSTROM LLC	3020 TRUAX RD		WELLSVILLE	NY	14895-9531
ASA CARLTON INC	5224 PALMERO CT # 1		BUFORD	GA	30518-5868
ASPEN DESIGN INC	9645 LINCOLNWAY LN STE 201		FRANKFORT	IL	60423-1884
ASPHALT STONE COMPANY	PO BOX 1060		JACKSONVILLE	IL	62651-1060
ASSOCIATED FIRE PROTECTION	4905 S 97TH ST		OMAHA	NE	68127-2202
ATLANTIC FIXTURE INSTALLATIONS INC	1615 ROBIN CIR STE H		FOREST HILL	MD	21050-3058
ATLANTIC TRACK RUNWAY SERVICES LLC	2903 ARKANSAS BLVD		TEXARKANA	AR	71854-2535
ATLAS TRENCHLESS LLC	PO BOX 488		ROCKVILLE	MN	56369-0488
ATWELL LLC	2 TOWNE SQ STE 700		SOUTHFIELD	MI	48076-3737
ATWOOD ELECTRIC INC	PO BOX 311		SIGOURNEY	IA	52591-0311
AXIOS INDUSTRIAL MAINTENANCE CONTRACTORS INC	10077 GROGANS MILL RD STE 450		SPRING	TX	77380-1030
AYARS & AYARS INC	2436 N 48TH ST		LINCOLN	NE	68504-3627
B & S STEEL CO., LLC	1604 S AVE		MORNING SUN	IA	52640-9698
B + T GROUP HOLDINGS INC	1717 S BOULDER AVE STE 300		TULSA	OK	74119-4843
B D WELCH CONSTRUCTION LLC	120 INDUSTRIAL STATION RD		STEELE	AL	35987-0017
B&E ELECTRICAL INC	1843 ROYLE RD		SUMMERTON	SC	29486-1779

Missouri Department of Revenue

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Show Secretary of State Cover: Yes

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
BABCOCK POWER ENVIRONMENTAL INC.	26 FOREST ST		MARLBOROUGH	MA	01752-3068
BACON FARMER WORKMAN ENGINEERING & TESTING INC	500 S 17TH ST		PADUCAH	KY	42003-2819
BAILEY CONSTRUCTION AND CONSULTING LLC	2200 N RODNEY PARHAM RD STE 206		LITTLE ROCK	AR	72212-4155
BAJA CONSTRUCTION CO INC	223 FOSTER ST		MARTINEZ	CA	94553-1029
BANDANA INSTALLATION LP	PO BOX 975		ELKHART	TX	75839-0975
BARKER CONTRACTING, INC.	2127 E SPEEDWAY BLVD STE 101		TUCSON	AZ	85719-4751
BARLOVENTO LLC	431 TECHNOLOGY DR		DOTHAN	AL	36303-1247
BARRIER TECHNOLOGIES LLC	8245 NIEMAN RD		LENEXA	KS	66214-1508
BARTON ELECTRIC CONTRACTING INC	247 STATE ROUTE 160		TRENTON	IL	62293-4667
BASLER ELECTRIC COMPANY	12570 STATE ROUTE 143		HIGHLAND	IL	62249-1074
BAUER DESIGN BUILD LLC	14030 21ST AVE N		PLYMOUTH	MN	55447-4686
BAY INSULATION CONTRACTING INC	PO BOX 9229		GREEN BAY	WI	54308-9229
BAZIN SAWING & DRILLING LLC	30790 SWITZER RD		LOUISBURG	KS	66053-5903
BEAM TEAM CONSTRUCTION INC	1350 BLUEGRASS LAKES PKWY		ALPHARETTA	GA	30004-3395
BEARCOM INC	4009 DISTRIBUTION DR STE 200		GARLAND	TX	75041-6164
BEL O COOLING & HEATING INC	90 WHITEHALL DR		O FALLOON	IL	62269-2670

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BERBERICH TRAHAN & CO PA	4301 SW HUNTOON ST		TOPEKA	KS	66604-1659
BERG PAINTING LLC	118 PEAVEY CIR		CHASKA	MN	55318-2347
BETHALTO GLASS INC	PO BOX 186		BETHALTO	IL	62010-0186
BETTIS ASPHALT & CONSTRUCTION INC	PO BOX 1694		TOPEKA	KS	66601-1694
BIERMAN CONTRACTING INC	PO BOX 1887		COLUMBUS	NE	68602-1887
BIRDAIR INC	6461 MAIN ST		WILLIAMSVILLE	NY	14221-5837
BLAHNIK CONSTRUCTION COMPANY	150 50TH AVENUE DR SW		CEDAR RAPIDS	IA	52404-5038
BLANKENSHIP CONSTRUCTION CO	1824 IL ROUTE 140		MULBERRY GRV	IL	62262-3303
BLATTNER ENERGY, INC.	392 COUNTY ROAD 50		AVON	MN	56310-8684
BLD SERVICES LLC	2424 TYLER ST		KENNER	LA	70062-4845
BLUE SKY CONSTRUCTION OF IDAHO LLC	2365 E COLUMBIA RD		MERIDIAN	ID	83642-7211
BLUESTONE LLC	220 N SMITH ST STE 420		PALATINE	IL	60067-2477
BLUEWATER CONSTRUCTORS INC	PO BOX 55482		HOUSTON	TX	77255-5482
BLUNIER BUILDERS INC	1230 US HIGHWAY 24		EUREKA	IL	61530-9448
BLUSKY RESTORATION CONTRACTORS LLC	9767 E EASTER AVE		CENTENNIAL	CO	80112-3747
BOB BERGKAMP CONSTRUCTION CO INC	3709 S WEST ST		WICHITA	KS	67217-3898
BOB FLORENCE CONTRACTOR INC	PO BOX 5258		TOPEKA	KS	66605-0258
BOB MYER BUILDERS INC	147 NW NORTH SHORE DR		LAKE WAUKOMIS	MO	64151-1459

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BODINE ELECTRIC OF DECATUR	PO BOX 976		DECATUR	IL	62525-1810
BORTON CONSTRUCTION INC	2 COPELAND AVE STE 201		LA CROSSE	WI	54603-3419
BORTON LC	PO BOX 2108		HUTCHINSON	KS	67504-2108
BOUMA CONSTRUCTION INC	4101 ROGER B CHAFFEE MEM DR SE		GRAND RAPIDS	MI	49548-3443
BRADSHAW CONSTRUCTION CORPORATION MARYLAND	175 W LIBERTY RD		ELDERSBURG	MD	21784-9381
BRAMSON HOUSE INC	151 ALBANY AVE		FREEPORT	NY	11520-4710
BRANCH BUILDING GROUP LLC	813 COLUMBIA AVE STE B		FRANKLIN	TN	37064-8222
BRETT FRITZEL BUILDERS INC	2201 MALLARD CIR		EUDORA	KS	66025-2101
BRINK CONSTRUCTORS INC	2950 N PLAZA DR		RAPID CITY	SD	57702-9323
BROCK SERVICES LLC	PO BOX 306		BEAUMONT	TX	77704-0306
BROOKS DIRECTIONAL DRILLING LLC	24531 102ND DR		BURDEN	KS	67019-9202
BROOKS ELECTRICAL	1107 N 1712 RD		LAWRENCE	KS	66049-9714
BROWN & ROOT INDUSTRIAL SERVICES LLC	601 JEFFERSON ST		HOUSTON	TX	77002-7900
BROWN TANK LLC	6995 55TH ST N STE A		SAINT PAUL	MN	55128-1726
BRUCE TRUCKING AND EXCAVATING INC	4401 STATE ROUTE 162		GRANITE CITY	IL	62040-6412
BRUNAUGH CONSTRUCTION AND DESIGN LLC	PO BOX 394		ALTON	IL	62002-0394
BRYAN-OHLMEIER CONST INC	911 N PEARL ST		PAOLA	KS	66071-1139

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BUEHNER CONSTRUCTION INC	3158 S MAIN ST		SALT LAKE CTY	UT	84115-3750
BUFFALO GAP INSTRUMENTATION & ELECTRICAL COMPANY I	2532 AYMOND ST		EUNICE	LA	70535-6843
BUILDING CRAFTS INC	2 ROSEWOOD DR		WILDER	KY	41076-9007
BUILTECH SERVICES, LLC	1834 WALDEN OFFICE SQ STE 350		SCHAUMBURG	IL	60173-4296
BULLEY & ANDREWS MASONRY RESTORATION LLC	1755 W ARMITAGE AVE		CHICAGO	IL	60622-1189
BUSH TURF INC	6800 78TH AVE W		MILAN	IL	61264-4146
BUTT CONSTRUCTION COMPANY INCORPORATED	3858 GERMANY LN		DAYTON	OH	45431-1607
BYUS CONSTRUCTION INC	16602 CRAWFORD AVE		MARKHAM	IL	60428-5378
C D L ELECTRIC COMPANY INC	1308 N WALNUT ST		PITTSBURG	KS	66762-3034
CA FLOORS LLC	1353 N WILLETT ST		MEMPHIS	TN	38108-1057
CACHE VALLEY ELECTRIC COMPANY	875 N 1000 W		LOGAN	UT	84321-7800
CADY AQUASTORE	920 W PRAIRIE DR STE G		SYCAMORE	IL	60178-3123
CAHILL CONSTRUCTION INC	6331 FIESTA DR		COLUMBUS	OH	43235-5202
CAM DEVELOPMENT GROUP INC	1891 OLD GRANART RD STE A		SUGAR GROVE	IL	60554-9428
CANNON UTILITY SERVICES LLC	1320 E STATE ROUTE 15		BELLEVILLE	IL	62220-4803
CANYON PLUMBING INC	PO BOX 295		ASH FLAT	AR	72513-0295
CAPITAL INSULATION INC	2714 NW TOPEKA BLVD STE 106		TOPEKA	KS	66617-1148

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CAPITOL CONSTRUCTION SERVICES OF INDIANA INC	11051 VILLAGE SQUARE LN		FISHERS	IN	46038-4552
CARDINAL INTERNATIONAL GROOVING & GRINDING LLC	PO BOX 450		CONSHOHOCKEN	PA	19428-0450
CARPORT STRUCTURES CORPORATION	1825 METAMORA RD		OXFORD	MI	48371-2419
CARSTENSEN CONTRACTING INC	800 QUARTZITE ST		DELL RAPIDS	SD	57022-1818
CAS CONSTRUCTORS LLC	3500 SW FAIRLAWN RD STE 200		TOPEKA	KS	66614-3979
CASEY INDUSTRIAL INC	1400 W 122ND AVE STE 200		WESTMINSTER	CO	80234-3440
CASH DEPOT LIMITED WISCONSIN	1740 COFRIN DR STE 2		GREEN BAY	WI	54302-2086
CATALYST AIR MANAGEMENT INC	2505 BYINGTON SOLWAY RD		KNOXVILLE	TN	37931-3854
CB RECOVERY GROUP INC	1821 WALDEN OFFICE SQ STE 395		SCHAUMBURG	IL	60173-4285
CCC GROUP INC	PO BOX 200350		SAN ANTONIO	TX	78220-0350
CEI MICHIGAN LLC	PO BOX 310		HAMBURG	MI	48139-0310
CELLSITE SOLUTIONS LLC	1720 I AVE NE		CEDAR RAPIDS	IA	52402-5205
CEMROCK LANDSCAPES INC	4790 S JULIAN AVE		TUCSON	AZ	85714-2123
CENTER LINE ELECTRIC, INC.	PO BOX 1047		BELLS	TN	38006-1047
CENTRAL BUILDING & PRESERVATION LP	1071 W FRY ST		CHICAGO	IL	60642-5422
CENTRIC SECURITY & AUTOMATION INC	103 LANTER CT		COLLINSVILLE	IL	62234-6124
CENTURY FIRE PROTECTION LLC	3450 SATELLITE BLVD		DULUTH	GA	30096-4643

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CERAM ENVIRONMENTAL INC	7304 W 130TH ST STE 140		OVERLAND PARK	KS	66213-2644
CGE DIGITAL CORPORATION	188 WOODCREST DR		HIGHLAND	IL	62249-1266
CHA TECH SERVICES LLC	3 WINNERS CIR		ALBANY	NY	12205-1161
CHAPMAN CANOPY, INC.	PO BOX 3527		HUEYTOWN	AL	35023-0527
CHARLES E MAHONEY CO	208 SERVICE ST		SWANSEA	IL	62226-3995
CHARPS LLC	453 TOWER ST NW		CLEARBROOK	MN	56634-4289
CHATTANOOGA BOILER & TANK CO INC	1011 E MAIN STREET		CHATTANOOGA	TN	37408
CHEMPRO SERVICES INC	3311 GULF BREEZE PKWY # 350		GULF BREEZE	FL	32563-3351
CHERNE CONTRACTING CORPORATION	3555 FARNAM ST		OMAHA	NE	68131-3311
CHOATE CONSTRUCTION COMPANY	8200 ROBERTS DR STE 600		ATLANTA	GA	30350-4148
CHRISTENSEN REFRactory	1245 LAREDO AVE		PISGAH	IA	51564-4037
CIRCLE C PAVING AND CONSTRUCTION LLC	PO BOX 361		GODDARD	KS	67052-0361
CJ DRILLING INC	19N041 GALLIGAN RD		DUNDEE	IL	60118-9536
CJR BUILDERS INC	650 N ROSE DR # 154		PLACENTIA	CA	92870-7513
CL CONSTRUCTION, LLC	1927 COUNTY ROAD I		WAHOO	NE	68066-4074
CLASSIC INDUSTRIAL SERVICES INC	456 HIGHLANDIA DR		BATON ROUGE	LA	70810-5906
CLASSIC PROTECTIVE COATINGS INC	N7670 STATE RD 25		MENOMONIE	WI	54751
CMC ELECTRIC INC	PO BOX 938		MARYVILLE	IL	62062-0938

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CMS WIRELESS LLC	29 MAUMELLE CURVE CT		NORTH LITTLE ROCK	AR	72113-6698
CNI INC	PO BOX 1654		JONESBORO	AR	72403-1654
CNR CONTRACTORS INC	15479 STATE HIGHWAY 15		KIMBALL	MN	55353-9788
COACH HOUSE INC	PO BOX 320		ARTHUR	IL	61911
COASTAL ENVIRONMENTAL GROUP INC	7 POLICE PLZ		POTOSI	MO	63664-1877
COASTAL QUALITY CONSTRUCTION, INC.	4705 BROOKPARK RD		PARMA	OH	44134-1013
CODE USA LP	19785 W 12 MILE RD # 335		SOUTHFIELD	MI	48076-2584
COLCON INDUSTRIES CORPORATION	PO BOX 647		SULLIVAN	IL	61951-0647
COLUMBIA CONSTRUCTION INC	PO BOX 445		SPRING HILL	KS	66083-0445
COMMERCE CONSTRUCTION INC	695 N 40TH ST		SPRINGDALE	AR	72762-0602
COMMONWEALTH ELECTRIC COMPANY OF THE MIDWEST	3910 SOUTH ST		LINCOLN	NE	68506-5220
CONCO SERVICES CORPORATION	135 SYLVAN ST		VERONA	PA	15147-1032
CONCORD TANK CORPORATION	PO BOX 5207		CONCORD	NC	28027-1503
CONCRETE EXPRESSIONS LLC	291 E GLENN MILLER DR		CLARINDA	IA	51632-2736
CONCRETE SYSTEMS COMPANY LLC	121 EDWARDS DR		JACKSON	TN	38301-7716
CONLEY SITWORK & UTILITIES INC	PO BOX 715		EUDORA	KS	66025-0715

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CONNECTED TECHNOLOGIES LLC	PO BOX 1983		ATHENS	GA	30603-1983
CONSTRUCTION DESIGNWORKS LLC	6657 WOODLAND DR		SHAWNEE	KS	66218-9745
CONSTRUCTION ENTERPRISES INC	2179 EDWARD CURD LN STE 100		FRANKLIN	TN	37067-5789
CONSTRUCTORS INCORPORATED	207 WILLARD DR		O FALLOON	IL	62269-2241
CONTEGRA SERVICES LLC	22 GTWAY COMM CTR W 110		EDWARDSVILLE	IL	62025
CONTINENTAL CONSTRUCTION COMPANY OF TENNESSEE INC	5646 SHELBY OAKS DR		MEMPHIS	TN	38134-7337
CONTINENTAL POOLS INC	805 E WARREN ST		GARDNER	KS	66030-1619
CONWAY PHILLIPS HOLDING LLC	13A TALBOT AVE		BRADDOCK	PA	15104-1113
COOPER RAIL SERVICE INC	PO BOX 199		HUNTINGBURG	IN	47542-0199
COOPERS STEEL FABRICATORS	PO BOX 149		SHELBYVILLE	TN	37162-0149
CORCO CONSTRUCTION LLC	15104 PRIDE VALLEY RD		LITTLE ROCK	AR	72223-4934
CORNERSTONE FCE SERVICES LLC	8811 TEEL PKWY UNIT 6074		FRISCO	TX	75035-4258
CORNHUSKER INSULATION LLC	2201 RIVER ROAD DR		WATERLOO	NE	68069-3407
CORRECTIVE ASPHALT MATERIALS LLC	PO BOX 87129		SOUTH ROXANA	IL	62087-7129
CORROTEC INC	1125 W NORTH ST		SPRINGFIELD	OH	45504-2713
CORVAL CONSTRUCTORS INC	1633 EUSTIS ST		SAINT PAUL	MN	55108-1219

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COTTON COMMERCIAL USA INC	5443 KATY HOCKLEY CUT OFF RD		KATY	TX	77493-7008
COWIN & CO INC MINING ENGINEERS AND CONTRACTORS	PO BOX 19009		BIRMINGHAM	AL	35219-9009
CRAMER AND ASSOCIATES INC	3100 SW BROOKSIDE DR		GRIMES	IA	50111-4977
CREEK ELECTRIC INCORPORATED	2811 W PAWNEE ST		WICHITA	KS	67213-1819
CROOKHAM CONSTRUCTION LLC	PO BOX 339		TONGANOXIE	KS	66086-0339
CROWN CORR INC	7100 W 21ST AVE		GARY	IN	46406-2499
CSD ENVIRONMENTAL SERVICES INC	2220 YALE BLVD		SPRINGFIELD	IL	62703-3516
CUSTOM POOL LLC	32 HOWARD DR		BELLEVILLE	IL	62223-4016
CUSTOM TREE CARE INC	3722 SW SPRINGCREEK LN		TOPEKA	KS	66610-1221
CWP MO INC	1682 Langley Ave		IRVINE	CA	92614-5620
D & D INDUSTRIAL CONTRACTING INC	101 MULLEN DR		WALTON	KY	41094-9607
D & L EXCAVATING INC	1958 HIGHWAY 104		LIBERTY	IL	62347-2141
D5 IRON WORKS INC	18000 JEFFERSON ST		UNION	IL	60180-9440
DADE CONSTRUCTION LLC	PO BOX 4090		KANSAS CITY	KS	66104-0090
DATA CLEAN CORPORATION	1033 GRACELAND AVE		DES PLAINES	IL	60016-6511
DAVACO, LP	4050 VALLEY VIEW LANE	STE 150	IRVING	TX	75038
DAVIS CONSTRUCTION	2143 NE HIGHWAY 7		COLUMBUS	KS	66725-2093
DAWKINS ON SITE LLC	PO BOX 1096		HARTSVILLE	SC	29551-1096

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DECKER CONSTRUCTION INC	PO BOX 254		COFFEYVILLE	KS	67337-0254
DECKER ELECTRIC INC	4500 W HARRY ST		WICHITA	KS	67209-2736
DEJAGER CONSTRUCTION INC	75 60TH ST SW		WYOMING	MI	49548-5771
DELAWARE ELEVATOR INC	2210 ALLEN DR		SALISBURY	MD	21801-8059
DELTA CONCRETE AND INDUSTRIAL CONTRACTING INC	51825 GRATIOT AVE		CHESTERFIELD	MI	48051-2014
DENISON DRYWALL CONTRACTING INC	PO BOX 453		DENISON	IA	51442-0453
DF CHASE INC	3001 ARMORY DR STE 200		NASHVILLE	TN	37204-3711
DF OSBORNE CONSTRUCTION INC	3310 SW HARRISON ST STE 3		TOPEKA	KS	66611-2252
DIAMOND CONSTRUCTION COMPANY	2000 N 18TH ST		QUINCY	IL	62301-1435
DIAMOND SURFACE INC	21025 COMMERCE BLVD STE 900		ROGERS	MN	55374-4697
DIECKER-TERRY MASONRY INC	11327 EIFF RD		MARISSA	IL	62257-1409
DIMENSION CONSTRUCTION INC	3776 NEW GETWELL RD		MEMPHIS	TN	38118-6014
DIVERSIFIED COMMERCIAL BUILDERS INC	3691 KENNESAW S INDUSTRIAL DR NW		KENNESAW	GA	30144-6513
DIVERSIFIED TRACK WORKS LLC	17671 US HIGHWAY 6		GENESEO	IL	61254-8620
DL SMITH ELECTRICAL CONSTRUCTION INC	1405 SW 41ST ST		TOPEKA	KS	66609-1295
DMS RETAIL INTERIORS INC	120 S OLIVE AVE STE 601		WEST PALM BEACH	FL	33401-5535

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DN TANKS INC	11 TEAL RD		WAKEFIELD	MA	01880-1223
DOME CORPORATION OF NORTH AMERICA	PO BOX 2220		BAY CITY	MI	48707-2220
DOMTEC INTERNATIONAL LLC	4355 N HAROLDSEN DR		IDAHO FALLS	ID	83401-1105
DON JULIAN BUILDERS INC	15521 W 110TH ST		LENEXA	KS	66219-1317
DORMARK CONSTRUCTION CO	PO BOX 530		GRIMES	IA	50111-0530
DOSTER CONSTRUCTION COMPANY INC	2100 INTERNATIONAL PARK DR		BIRMINGHAM	AL	35243-4209
DOTSON ELECTRIC COMPANY INC	551 CAL BATSEL RD		BOWLING GREEN	KY	42104-8520
DRC EMERGENCY SERVICES LLC	PO BOX 17017		GALVESTON	TX	77552-7017
DS ELECTRIC LLC	5336 KNOX ST		MERRIAM	KS	66203-2066
DTLS INCORPORATED	PO BOX 1615		BERNALILLO	NM	87004-1615
DUERSON INC	601 1ST AVE N		ALTOONA	IA	50009-1431
DUININCK INC	PO BOX 208		PRINSBURG	MN	56281-0208
DUN TRANSPORTATION & STRINGING INC	304 REYNOLDS LN		SHERMAN	TX	75092-6839
DUNK FIRE & SECURITY INC	3446 WAGON WHEEL RD		SPRINGDALE	AR	72762-0115
DYKON BLASTING CORP	8120 W 81ST ST		TULSA	OK	74131-2876
DYNAGRID CONSTRUCTION GROUP, LLC	725 E JONES ST		LEWISVILLE	TX	75057-2608
E80 PLUS CONSTRUCTORS LLC	7120 PATTON RD		DEFOREST	WI	53532-1836
EBERHART SIGN & LIGHTING CO	104 1ST AVE		EDWARDSVILLE	IL	62025-2574

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EBERT CONSTRUCTION CO INC	PO BOX 198		WAMEGO	KS	66547-0198
EBM CONSTRUCTION INC	1014 SHERWOOD RD		NORFOLK	NE	68701-9060
ECKINGER CONSTRUCTION COMPANY	2340 SHEPLER CHURCH AVE SW		CANTON	OH	44706-3093
EDDYS GLASS & DOOR INC	147 W K ST		FOREST CITY	IA	50436-1519
EDMOND PLAZA CONSTRUCTION LLC	6504 SW 29TH ST BLDG A		OKLAHOMA CITY	OK	73179-6024
EDNA LUMBER CO INC	PO BOX 820		EDNA	TX	77957-0820
ELECTRICO INC	7706 WAGNER RD		MILLSTADT	IL	62260-2910
ELECTRICOMM INC	PO BOX 8324		TOPEKA	KS	66608-0324
ELEVATOR SAFETY INSPECTION SERVICES INC	415 N MCKINLEY ST STE 685		LITTLE ROCK	AR	72205-3010
ELITE INDUSTRIAL PAINTING INC	621 HIBISCUS ST STE 3		TARPON SPGS	FL	34689-3306
ELLIOTT ELECTRICAL INC	22095 INTERSTATE 30 S		BRYANT	AR	72022-8581
ELLSWORTH ELECTRIC INC	4425 N HIGHWAY 81		DUNCAN	OK	73533-8950
ELSTER AMERICAN METER COMPANY, LLC	PO BOX 22315		TEMPE	AZ	85285-2315
EMBREE CONSTRUCTION GROUP INC OF TEXAS	4747 WILLIAMS DR		GEORGETOWN	TX	78633-3799
EMCO CHEMICAL DISTRIBUTORS INC	8601 95TH ST		PLEASANT PR	WI	53158-2205
EMERALD TRANSFORMER PPM LLC	PO BOX 3070		MCKINNEY	TX	75070-8182
EMJ CORPORATION	2034 HAMILTON PLACE BLVD STE 400		CHATTANOOGA	TN	37421-6102
EMPIRE AG LLC	306 SW DRIFTWOOD DR		ANKENY	IA	50023-4407

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EMPIRE CONSTRUCTION GROUP LLC	9128 W 91ST TER		OVERLAND PARK	KS	66212-3901
ENERGY ERECTORS INC	31588 PROGRESS RD		LEESBURG	FL	34748-8781
ENEXIO US LLC	17757 US HIGHWAY 19 N		CLEARWATER	FL	33764-6560
ENGINEERED FLUID INC	PO BOX 723		CENTRALIA	IL	62801-9111
ENGINEERED STRUCTURES INC	3330 E LOUISE DR STE 300		MERIDIAN	ID	83642-5123
ENGLEWOOD CONSTRUCTION INC	80 MAIN ST		LEMONT	IL	60439-3622
ENHANCED SITE SOLUTIONS LLC	1701 GOLF RD STE 1-900		ROLLING MEADOWS	IL	60008-4246
ENVIROCON INC	PO BOX 16655		MISSOULA	MT	59808-6655
ENVIRONMENTAL FABRICS INC	85 PASCON CT		GASTON	SC	29053-8507
EPCS COMPANY	1241 S 31ST ST W		BILLINGS	MT	59102-7314
ERV SMITH SERVICES INC	1225 TRUAX BLVD		EAU CLAIRE	WI	54703-1468
ESA SOUTH INC	1681 SUCCESS DR		CANTONMENT	FL	32533-5103
ESSI LLC	1400 W SHADY GROVE RD		GRAND PRAIRIE	TX	75050-7117
EVCO NATIONAL	PO BOX 407		EAST ALTON	IL	62024-0407
EVERGREEN CAISSENS, INC.	PO BOX 172109		DENVER	CO	80217-2109
EXCELLENCE IN CONSTRUCTION LLC	1020 N HIGHWAY 5		LANSING	KS	66043-6267
F & M CONTRACTORS INC	PO BOX 149		CLAYTON	OH	45315-0149
F L CRANE & SONS INC	PO BOX 428		FULTON	MS	38843-0428
FABCOR INC	350 S OHIO ST		MINSTER	OH	45865-1272

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FAHRNER ASPHALT SEALERS, L.L.C.	2800 MECCA DR		PLOVER	WI	54467-3224
FALL ZONE CONSTRUCTION LLC	18601 GREENE ST		WASHINGTON	NE	68068-4000
FARABEE MECHANICAL INC	PO BOX 1748		HICKMAN	NE	68372-1748
FARMER EXCAVATING INC	15440 94TH ST		OSKALOOSA	KS	66066-4122
FAUGHN ELECTRIC INC	5980 OLD MAYFIELD RD		PADUCAH	KY	42003-9296
FC DADSON SIB LLC	N1043 CRAFTSMEN DR STE 2		GREENVILLE	WI	54942-8082
FCL BUILDERS LLC	1150 Spring Lake Dr		Itasca	IL	60143-2066
FEDERAL FIRE AND SECURITY LLC	PO BOX 1782		OWENSBORO	KY	42302-1782
FEDERAL STEEL & ERECTION CO	PO BOX 238		EAST ALTON	IL	62024-0238
FHG INC	7015 TUTOR ST		MINT HILL	NC	28227-4421
FICKETT STRUCTURAL SOLUTIONS INC	3148 DEMING WAY STE 160		MIDDLETON	WI	53562-1486
FIRE & SECURITY SOLUTIONS GROUP INC	11240 STRANG LINE RD		LENEXA	KS	66215-4039
FIRELAKE CONSTRUCTION INC	14217 W 95TH ST		LENEXA	KS	66215-5208
FIRELINE SPRINKLER LLC	1329 W GRAND AVE STE 1A		PORT WASHINGTON	WI	53074-2010
FIRST DRILLING LLC	2990 N TOWNSEND AVE		MONTROSE	CO	81401-6018
FISHER SMITH INC	1564 HILL TOP RD		COLUMBIA	IL	62236-4536
FLAME ON INC	12632 WAGNER RD		MONROE	WA	98272-9732
FLORIDA INSTITUTE OF TECHNOLOGY INC	150 W UNIVERSITY BLVD		MELBOURNE	FL	32901-6975

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FORD AUDIO VIDEO SYSTEMS LLC	4800 W I 40 SERVICE RD		OKLAHOMA CITY	OK	73128-1208
FORT SMITH STRUCTURAL INC	PO BOX 180249		FORT SMITH	AR	72918-0249
FORTESSA HOSTING	PO BOX 1734		LAGUNA BEACH	CA	92652-1734
FOSTER ROOFING INC	3357 WAGON WHEEL RD		SPRINGDALE	AR	72762-0106
FOUNDATION SERVICE CORP	PO BOX 120		HUDSON	IA	50643-0120
FOUR STAR CONSTRUCTION INC	PO BOX 3037		SUPERIOR	WI	54880-0458
FRANCE MECHANICAL CORP	PO BOX 646		EDWARDSVILLE	IL	62025-0646
FRANK W SCHAEFER INC	1300 GRANGE HALL RD		BEAVERCREEK	OH	45430-1013
FREEDOM CONCRETE LLC	PO BOX 731		DE SOTO	KS	66018-0731
FREYALDENHOVEN MECHANICAL INC	1101 FRONT ST		CONWAY	AR	72032-4307
FRONTIER MECHANICAL LC	PO BOX 71487		SALT LAKE CTY	UT	84171-0487
FRONTZ DRILLING INC	2031 MILLERSBURG RD		WOOSTER	OH	44691-9460
FSG FACILITY SOLUTIONS GROUP INC	4401 W GATE BLVD STE 310		AUSTIN	TX	78745-1494
FULCRUM EXPRESS INC	1945 THE EXCHANGE SE STE 400		ATLANTA	GA	30339-2090
FULSOM BROTHERS INC	PO BOX 522		CEDAR VALE	KS	67024-0522
G B CONSTRUCTION LLC	PO BOX 1305		LOUISBURG	KS	66053-1305
G.A. RICH & SONS INC	PO BOX 50		DEER CREEK	IL	61733-0050
G4 CONSTRUCTION MANAGEMENT LLC	12903 PIONEER TRL		EDEN PRAIRIE	MN	55347-4112

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GALA SYSTEMS INC	3185 FIRST STREET		ST HUBERT CANADA	QC	J3Y 8Y6
GALASKA AND SON, INC	9710 PORTAL RD		LA VISTA	NE	68128-5530
GALL CONSTRUCTION OF AMERICA LIMITED	1550 VICTORIA ST. NORTH		KITCHENER	ON	N2B 3E2
GALLAGHER ASPHALT CORPORATION	18100 INDIANA AVE		THORNTON	IL	60476-1276
GARRISON PLUMBING INC	15430 S MAHAFFIE ST		OLATHE	KS	66062-2755
GATOR SIGN COMPANY INC	1027 KAREY ANDREWS RD		MCCOMB	MS	39648-9446
GBA SYSTEMS INTEGRATORS LLC	9801 RENNER BLVD		LENEXA	KS	66219-9718
GELLY EXCAVATING & CONSTRUCTION INC	13297 PLOCHER WAY		HIGHLAND	IL	62249-4543
GEMCO CONSTRUCTORS LLC	6525 GUION RD		INDIANAPOLIS	IN	46268-4808
GEOSTABILIZATION INTERNATIONAL LLC	4475 E 74TH AVE STE A		COMMERCE CITY	CO	80022-1494
GERALD N CANDITO CONSTRUCTION CORP	3580 CANTRELL INDUSTRIAL CT NW		ACWORTH	GA	30101-6401
GERARD TANK & STEEL INC	PO BOX 513		CONCORDIA	KS	66901-0513
GERENA CONSTRUCTION LLC	9517 E 85TH ST N		VALLEY CENTER	KS	67147
GIBRALTAR CONSTRUCTION COMPANY INC	42 HUDSON ST STE A207		ANNAPOLIS	MD	21401-8537
GIFFIN INC	1900 BROWN RD		AUBURN HILLS	MI	48326-1701
GLASS DESIGN INC	PO BOX 568		SAPULPA	OK	74067-0568
GLEESON ASPHALT INC	2800 W MAIN ST		BELLEVILLE	IL	62226-6612
GLOBAL EMPIRE LLC	115 OVERLOOK RD		POMONA	NY	10970-2118

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GOETTLE EQUIPMENT COMPANY	12071 HAMILTON AVE		CINCINNATI	OH	45231-1032
GOLDEN SANDS GENERAL CONTRACTORS INC	800 S DOUGLAS RD		CORAL GABLES	FL	33134-3125
GOODART CONSTRUCTION INC	26685 WAVERLY RD		PAOLA	KS	66071-4135
GOOLSBY INC	3002 W MAIN ST		BLYTHEVILLE	AR	72315-8600
GORDON ENERGY AND DRAINAGE COMPANY	15735 S MAHAFFIE ST		OLATHE	KS	66062-4038
GRAND CONSTRUCTION COMPANY LLC	7309 HIGH DR		PRAIRIE VILLAGE	KS	66208-3362
GRANITE TRANSFORMATIONS	14125 MARSHALL DR		LENEXA	KS	66215-1300
GRE CONSTRUCTION	628 PALESTINE RD		CHESTER	IL	62233-1060
GREAT LAKES CONCRETE PRODUCTS LLC	4555 134TH AVE		HAMILTON	MI	49419-8579
GREAT PLAINS STRUCTURES LLC	3301 LABORE RD		SAINT PAUL	MN	55110-5149
GREAT WESTERN BUILDERS INC	PO BOX 1717		COLLIERVILLE	TN	38027-1717
GRIFFIN CONTRACT DEWATERING LLC	5306 CLINTON DR		HOUSTON	TX	77020-7912
GRIFFITH STEEL ERECTION	1355 S ANNA ST		WICHITA	KS	67209-2601
GROOM CONSTRUCTION CO INC	96 SWAMPSCOTT RD		SALEM	MA	01970-1795
GUS CONST CO INC	PO BOX 77		CASEY	IA	50048-0077
GUSTAFSON & GOUDGE INC	PO BOX 28		CLEARBROOK	MN	56634-0028
GUY F ATKINSON CONSTRUCTION LLC	7500 OLD GEORGETOWN RD STE 8		BETHESDA	MD	20814-6805

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GUY ROOFING INC	201 JONES RD		SPARTANBURG	SC	29307-5424
GYPSUM FLOORS OF AR/OK INC	PO BOX 1707		MULDROW	OK	74948-1707
H & H SYSTEMS & DESIGN INC	135 W MARKET ST		NEW ALBANY	IN	47150-3561
H & M INDUSTRIAL SERVICES INC	PO BOX 200		JACKSON	TN	38302-0200
H AND M CONSTRUCTION CO INC	PO BOX 200		JACKSON	TN	38302-0200
HABASIT AMERICA INC	2670 LEISCS BRIDGE RD UNIT 200		LEESPORT	PA	19533-9433
HABCO INC	248 E BERG RD		SALINA	KS	67401-8907
HALL CONTRACTING OF KENTUCKY INC	PO BOX 37270		LOUISVILLE	KY	40233-7270
HAMON CUSTODIS INC	PO BOX 1500		SOMERVILLE	NJ	08876-1251
HANNA DESIGN GROUP INC	650 E ALGONQUIN RD STE 405		SCHAUMBURG	IL	60173-3853
HANSEN RICE INC	1717 E CHISHOLM DR		NAMPA	ID	83687-6846
HARBOUR CONSTRUCTION INC	2717 S 88TH ST		KANSAS CITY	KS	66111-1757
HARCO SERVICES LLC	PO BOX 2347		KENNESAW	GA	30156-9105
HAROLD COFFEY CONSTRUCTION CO INC	P.O. BOX 300		HICKMAN	KY	42050
HARVEY NASH INC	1700 STATE ROUTE 23 STE 100		WAYNE	NJ	07470-7529
HASTCO INC	2801 NW BUTTON RD		TOPEKA	KS	66618-1457
HAWKEYE INSULATION SPECIALISTS INC	755 64TH AVENUE CT SW STE A		CEDAR RAPIDS	IA	52404-7001

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HD PAINTING AND STAIN LLC	1201 STATE STREET RD		BELLEVILLE	IL	62220-2855
HEADWATERS CONSTRUCTION COMPANY	639 W 9500 S STE 1		VICTOR	ID	83455-5408
HEALY CONSTRUCTION SERVICES INC	14000 KEELER AVE		CRESTWOOD	IL	60418-2352
HEARTLAND ACCESS SOLUTIONS LLC	8924 NIEMAN RD		OVERLAND PARK	KS	66214-1747
HEARTLAND RETAIL CONSTRUCTION INC	4956 MEMCO LN STE A		RACINE	WI	53404-1160
HEIDELBERG ENGINEERING INC	10 FORGE PKWY STE 1		FRANKLIN	MA	02038-3137
HEINEN CUSTOM OPERATIONS INC	PO BOX 182		VALLEY FALLS	KS	66088-0182
HEINTZ POOL & SPA COMPANY	453 MARKETPLACE DR		FREEBURG	IL	62243-4076
HICKEY CONTRACTING COMPANY	PO BOX 68		KEOKUK	IA	52632-0068
HIGH CONCRETE GROUP LLC	PO BOX 10008		LANCASTER	PA	17605-0008
HIGHLAND STEEL ERECTORS INC	PO BOX 590		HELENWOOD	TN	37755-0590
HIGHWAY SIGNING INC	3250 16TH AVE		COUNCIL BLUFFS	IA	51501-7039
HILLARD ELECTRIC INC	4099 CEDAR COMMERCIAL DR NE		CEDAR SPRINGS	MI	49319-8296
HOFFMANN SILO CORPORATION	6001 49TH ST S		MUSCATINE	IA	52761-1153
HOHL INDUSTRIAL SERVICES INC	770 RIVERVIEW BLVD		TONAWANDA	NY	14150-7880
HOLDER CONSTRUCTION GROUP LLC	3300 RIVERWOOD PKWY SE STE 1200		ATLANTA	GA	30339-3967

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HOLLAND CONSTRUCTION SERVICES, INC.	4495 N ILLINOIS ST STE E		SWANSEA	IL	62226-1005
HOME CENTER CONSTRUCTION INC	420 W ATKINSON RD		PITTSBURG	KS	66762-8634
HOPCO CONSTRUCTION	PO BOX 9008		OMAHA	NE	68109-0008
HORIZON GENERAL CONTRACTORS INC	7315 W ELIZABETH LN		FT WORTH	TX	76116-6444
HORIZONTAL BORING & TUNNELING CO	PO BOX 429		EXETER	NE	68351-0429
HOSLER MECHANICAL INC	10800 GALAXIE AVE		FERNDALE	MI	48220-2132
HOVLAND INC	4177 THUNDERCHIEF LN		HERMANTOWN	MN	55811-1425
HOWARD IMMEL INC	1820 RADISSON ST		GREEN BAY	WI	54302-2057
HPI TURBINE SERVICES LLC	15503 W HARDY RD		HOUSTON	TX	77060-3603
HUEGERICH CONSTRUCTION INC	PO BOX 891		GRETNA	NE	68028-0891
HUNTING ENERGY SERVICES, LLC	16825 NORTHCHASE DR STE 600		HOUSTON	TX	77060-6005
HUSTON CONTRACTING INC	PO BOX 74		OLATHE	KS	66051-0074
HUTTON CONTRACTING CO INC	1600 CLIFTY HWY		HINDSVILLE	AR	72738-9167
HYDRA-LUBE	PO BOX 16565		LAKE CHARLES	LA	70616-6565
HYDRO TECHNOLOGIES INC	6200 E HIGHWAY 62 UNIT 100		JEFFERSONVILLE	IN	47130-8769
HYDROCHEM LLC	900 GEORGIA AVE		DEER PARK	TX	77536-2518
HYUNDAI POWER TRANSFORMERS USA INC	215 FOLMAR PKWY		MONTGOMERY	AL	36105-5513
ICON INDUSTRIAL SERVICES LLC	5104 J ST SW		CEDAR RAPIDS	IA	52404-4919

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IDEAL BUILDING SOLUTIONS LLC	6753 Jones Mill Ct Ste F		Norcross	GA	30092-4379
IDEAL BUSINESS SOLUTIONS LLC	31 BOLAND CT		GREENVILLE	SC	29615-5730
IES COMMUNICATIONS LLC	5433 WESTHEIMER RD STE 500		HOUSTON	TX	77056-5339
ILLINI DRILLED FOUNDATIONS INC	PO BOX 1351		DANVILLE	IL	61834-1351
IMPACT INSTALLATIONS INC	10091 STREETER RD STE 7		AUBURN	CA	95602-8512
IMPERIAL CRANE SERVICES INC	7500 IMPERIAL DR		BRIDGEVIEW	IL	60455-2395
IMPERIAL ROOF SYSTEMS CO	PO BOX 522		WEST UNION	IA	52175-0522
INDIANA INDUSTRIAL SERVICES LLC	1906 CLOVER RD		MISHAWAKA	IN	46545-7245
INDUSTRIAL INSULATION SERVICES INC	2200 W 6TH AVE		EL DORADO	KS	67042-3166
INDUSTRIAL MAINTENANCE OF TOPEKA INC	4501 NW US HIGHWAY 24		TOPEKA	KS	66618-3809
INDUSTRIAL PLANT SERVICES NATIONAL LLC	51410 MILANO DR STE 110		MACOMB	MI	48042-4015
INDUSTRIAL ROOFING & CONSTRUCTION LLC	1128 HIGHWAY 2		STERLINGTON	LA	71280-3066
INDUSTRIAL STEEL ERECTORS INC	2728 N CLARK ST		DAVENPORT	IA	52804-1300
INDUSTRY SERVICES CO INC	6265 RANGELINE RD		THEODORE	AL	36582-5245
INFRASTRUCTURE ENGINEERS INC	12596 W BAYAUD AVE STE 300		LAKWOOD	CO	80228-2031

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INGRAM CONSTRUCTION COMPANY INC OF MADISON MISSISS	PO BOX 1609		MADISON	MS	39130-1609
INNOVATIVE COMBUSTION TECHNOLOGIES INC	10 COMMERCE DR		PELHAM	AL	35124-1847
INNOVATIVE CONSTRUCTION SOLUTIONS INC	21675 GATEWAY RD		BROOKFIELD	WI	53045-5137
INSULATION TECHNOLOGIES INC	2007 BUTTON LN		LA GRANGE	KY	40031-8726
INTEGRATED ENVIRONMENTAL SERVICES INC	PO BOX 490815		BLAINE	MN	55449-0815
INTEGRATED POWER CO	PO BOX 1743		NORTH PLATTE	NE	69103-1743
INTERCON CONSTRUCTION INC	5512 STATE ROAD 19 AND 113		WAUNAKEE	WI	53597-9530
INTERNATIONAL INDUSTRIAL CONTRACTING CORPORATION	35900 MOUND RD		STERLING HTS	MI	48310-4793
INTERNATIONAL RIGGING GROUP LLC	955 E MLK JR DR # E		TARPON SPRINGS	FL	34689
INTERNATIONAL TOWERS LLC	117 S LEXINGTON ST # 100		HARRISONVILLE	MO	64701-2444
INTERSTATE RESTORATION MISSOURI LLC	3401 QUORUM DR STE 300		FORT WORTH	TX	76137-3621
IOWA TRENCHLESS LC	PO BOX 846		PANORA	IA	50216-0846
IRON HORSE CONCRETE AND CONSTRUCTION INC	5500 S BARNES AVE		OKLAHOMA CITY	OK	73119-6029
IVS HYDRO INC	PO BOX 245		WAVERLY	WV	26184-0245
J & D CONSTRUCTION INC	4326 HIGHWAY 212		MONTEVIDEO	MN	56265-4536

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J AND R ELECTRIC COMPANY INC	PO BOX 688		NORTH LITTLE ROCK	AR	72115-0688
J HAWK PLUMBING INC	3615 W MAPLE ST		WICHITA	KS	67213-2453
J WILKINSON INC	2964 PETTICOAT JUNCTION LN		GLEN CARBON	IL	62034-3265
J4 DEVELOPMENT, LP	1700 JAY ELL DR STE 100		RICHARDSON	TX	75081-1601
JACK A FARRIOR INC	9585 US 264A		FARMVILLE	NC	27828-9548
JACK R GAGE REFRIGERATION INC	700 W 1700 S BLDG 29104		LOGAN	UT	84321-6541
JACKOVIC CONSTRUCTION COMPANY LLC	300 MOUNT LEBANON BLVD STE 211A		PITTSBURGH	PA	15234-1534
JACKSON DEAN CONSTRUCTION INC	19835 SE 248TH ST		MAPLE VALLEY	WA	98038-8769
JACOBS GROUP GENERAL CONTRACTORS INC	3515 MATTINGLY RD		BUCKNER	KY	40010-8801
JACOBS LADDER INC	2325 COBDEN SCHOOL RD		COBDEN	IL	62920-3489
JAKES ELECTRIC LLC	207 ALLEN ST		CLINTON	WI	53525-9498
JAMAR CONTRACTORS INC	2335 S CHURCH ST		PARIS	TX	75460-7655
JAMES AGRESTA CARPENTRY	150 ENGLISH ST		HACKENSACK	NJ	07601-3937
JAMES HUNT CONSTRUCTION CO INC	1865 SUMMIT RD		CINCINNATI	OH	45237-2803
JAMES N GRAY CONSTRUCTION CO INC	PO BOX 8330		LEXINGTON	KY	40533-8330
JANET MARSHALL CONSTRUCTION INC	10245 LOCUST MOUNTAIN RD		MOUNTAINBURG	AR	72946-3308
JANSEN ELECTRIC COMPANY	4421 N 60TH ST		QUINCY	IL	62305-0640

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JARRETT INDUSTRIES INC	PO BOX 87189		SOUTH ROXANA	IL	62087-7189
JASON TANKING CONSTRUCTION LLC	PO BOX 3969		LAWRENCE	KS	66046-0969
JAYEFF CONSTRUCTION CORPORATION	2310 HIGHWAY 34 STE 1A		MANASQUAN	NJ	08736-1400
JB HOLLAND CONSTRUCTION, INC.	2092 HWY 9 W		DECORAH	IA	52101
JC TOLAND PAINTING, L.L.C.	397 NW 43RD PL		DES MOINES	IA	50313-2733
JED INSTALLATION LLC	2722 N 155TH ST		BASEHOR	KS	66007-9253
JEN MECHANICAL INC	803 HOPP HOLLOW DR		ALTON	IL	62002-4204
JESCO INC	2020 MCCULLOUGH BLVD		TUPELO	MS	38801-7108
JETTON GENERAL CONTRACTING INC	1211 CARROLL RD		PARAGOULD	AR	72450-6088
JF BRENNAN COMPANY INC	PO BOX 2557		LA CROSSE	WI	54602-2557
JIM RIVER FENCING LLC	45275 299TH ST		IRENE	SD	57037-6002
JN STAINLESS INC	1405 VEYDA ST		PRYOR	OK	74361-8016
JOE R JONES CONSTRUCTION INC	PO BOX 873		WEATHERFORD	TX	76086-0873
JOHN A PAPALAS & CO INC	1187 EMPIRE AVE		LINCOLN PARK	MI	48146-2099
JOHN E GREEN COMPANY	220 VICTOR ST		HIGHLAND PARK	MI	48203-3116
JOHN P DUFFY CONSTRUCTION COMPANY INC	7211 W 98TH TER STE 110		OVERLAND PARK	KS	66212-2257
JOHNSONS BUILDERS	1455 HODGES FERRY RD		DOYLE	TN	38559-3001
JRCT INCORPORATED	2098 TOM AUSTIN HWY		GREENBRIER	TN	37073-5192
JT BUILD LLC	102 MILLERSBURG RD		POCAHONTAS	IL	62275

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JUN CONSTRUCTION CO. INC.	PO BOX 263		GODFREY	IL	62035-0263
K & W FUELING SYSTEMS INC	PO BOX 116		RUSHVILLE	IN	46173-0116
KADILEX CONSTRUCTION INC	PO BOX 348		WOOD RIVER	IL	62095-0348
KAISER ELECTRICAL CONTRACTORS INC	340 ERIE AVE		MORTON	IL	61550-9600
KALMAN FLOOR COMPANY	1680 E 69TH AVE		DENVER	CO	80229-7327
KAMADULSKI EXCAVATING & GRADING CO INC	4336 HIGHWAY 162		GRANITE CITY	IL	62040-6409
KANE FIRE PROTECTION INC	170 E ALTON AVE		EAST ALTON	IL	62024-1443
KANSAS DUSTROL INC	PO BOX 308		TOWANDA	KS	67144-0308
KANSAS TURF LLC	601 E WYANDOTTE ST		MERIDEN	KS	66512-9169
KANTEX INDUSTRIES INC	1320 S HAMILTON CIR		OLATHE	KS	66061-7241
KARR TUCKPOINTING LLC	PO BOX 417		VINTON	IA	52349-0417
KBS AGRI SYSTEMS LLC	255 COUNTY ROAD R		NAPOLEON	OH	43545-5748
KBS CONSTRUCTORS INC	1701 SW 41ST ST		TOPEKA	KS	66609-1252
KEA CONSTRUCTORS LLC	PO BOX M		MILFORD	NE	68405-0623
KEELEY & SONS INC	6303 COLLINSVILLE RD		E SAINT LOUIS	IL	62201-2523
KEEN COMPANY INC	PO BOX 2143		INDIANAPOLIS	IN	46206-2143
KEMNER E.I.F.S., INC	PO BOX 41		QUINCY	IL	62306-0041
KENCAS MASONRY LLC	4224 E BROOMSAGE DR		FAYETTEVILLE	AR	72701-7758
KENDALL CONSTRUCTION INC	2551 NW BUTTON RD		TOPEKA	KS	66618-1411
KENDREK ELECTRIC INC	PO BOX 9411		WICHITA	KS	67277-0411

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KEOKUK CONTRACTORS INC	853 JOHNSON STREET RD		KEOKUK	IA	52632-2213
KING MECHANICAL CONTRACTORS INC	PO BOX 16608		CHATTANOOGA	TN	37416-0608
KING OF TEXAS ROOFING COMPANY LP	307 GILBERT CIR		GRAND PRAIRIE	TX	75050-6579
KINLEY CONSTRUCTION GROUP LP	7301 COMMERCIAL BLVD E		ARLINGTON	TX	76001-7149
KIRK GROSS COMPANY	PO BOX 2097		WATERLOO	IA	50704-2097
KLAVER CONSTRUCTION COMPANY INC	PO BOX 9163		WICHITA	KS	67277-0163
KNUTSON BROTHERS INC	PO BOX 353		REDWOOD FALLS	MN	56283-0353
KONRAD CONSTRUCTION COMPANY	5701 WEATHERSTONE WAY		JOHNSBURG	IL	60051-8431
KOOPS INC	987 PRODUCTIONS CT		HOLLAND	MI	49423-9219
KORTE & LUITJOHAN CONTRACTORS INC	12052 HIGHLAND RD		HIGHLAND	IL	62249-1342
KOSS CONSTRUCTION COMPANY	5830 SW DRURY LN		TOPEKA	KS	66604-2262
KRAEMER NORTH AMERICA LLC	PO BOX 220		PLAIN	WI	53577-0220
KRIEWALD ENTERPRISES LLC	1021 FOSSE RD UNIT A		OTTAWA	IL	61350-9364
KRUSE CONTRACTING INC	4374 G RD		WATERLOO	IL	62298-3806
KRUSE CORPORATION	8971 GREEN VALLEY DR UNIT 1		MANHATTAN	KS	66502-9008
KRYSTAL COMPANIES LLC	6830 W 152ND TER		OVERLAND PARK	KS	66223-3127
KUHLMAN REFRIGERATION INC	N56W16865 RIDGEWOOD DR # 100		MENOMONEE FLS	WI	53051-5656

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KWCC INC	123 S US HIGHWAY 12 # 13		FOX LAKE	IL	60020-1770
L6 INC	PO BOX 1957		BROKEN ARROW	OK	74013-1957
LA MACCHIA GROUP LLC	157 N MILWAUKEE ST		MILWAUKEE	WI	53202-6012
LAFORGE & BUDD CONSTRUCTION COMPANY INC	PO BOX 833		PARSONS	KS	67357-0833
LAKEVIEW CONSTRUCTION LLC	10505 CORPORATE DR STE 200		PLEASANT PRAIRIE	WI	53158-1605
LAND ART LANDSCAPING INC	12429 HOWE DR		LEAWOOD	KS	66209-1451
LANEY DIRECTIONAL DRILLING CO	1100 ALEGACY PL		WALLER	TX	77484-2093
LANGHAUSER SHEET METAL CO	120 MATTER DR		HIGHLAND	IL	62249-1271
LANHAM INSULATION INC	40 KINGBROOK PKWY STE 4		SIMPSONVILLE	KY	40067
LARSON HARVESTING INC	447 SUNFLOWER RD		WATERVILLE	KS	66548-8904
LATSHAW DRILLING COMPANY, LLC	PO BOX 691017		TULSA	OK	74169-1017
LAVENDER, INC.	1056 INDUSTRIAL DR	PO BOX 441	ALICEVILLE	AL	35442-2654
LAYTON CONSTRUCTION COMPANY LLC	9090 S SANDY PKWY		SANDY	UT	84070-6409
LEANTRAK INC	1645 INDIAN WOOD CIR STE 101		MAUMEE	OH	43537-4419
LEE MACHINERY MOVERS, INC.	675 CESAR E CHAVEZ AVE		PONTIAC	MI	48340-2459
LEICK CONSTRUCTION INC	22027 221ST ST		GLENWOOD	IA	51534-5389
LEJAS CORPORATION	6202 S MAPLE AVE		TEMPE	AZ	85283-2861

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LENTZ ROOFING COMPANY LLC	PO BOX 832		PITTSBURG	TX	75686-0832
LEROY C BOWMAN	308 FAWN PARK CIR		COUNCIL BLFS	IA	51503-5465
LEVELOPS INC	7801 N ROBINSON AVE STE D5		OKLAHOMA CITY	OK	73116-7725
LEXICON INC	PO BOX 16390		LITTLE ROCK	AR	72231-6390
LIGHTNING PROTECTION SYSTEMS LLC	PO BOX 540445E		N SALT LAKE	UT	84054-0445
LILJA CORP	229 RICKENBACKER CIR		LIVERMORE	CA	94551-7616
LMI TECH SYSTEMS LLC	4680 N ROYAL ATLANTA DR		TUCKER	GA	30084-3801
LOELLKE PLUMBING INC	22974 E COUNTY RD		JERSEYVILLE	IL	62052-3174
LONE STAR RAILROAD CONTRACTORS INC	PO BOX 1150		ENNIS	TX	75120-1150
LONGS DRILLING SERVICE INC	10554 HIGHWAY 392 W		HARRISON	AR	72601-7771
LOS TRES TOPOS LLC	PO BOX 271		WEBB CITY	MO	64870-0271
LOTEMP EQUIPMENT COMPANY	8707 N 29TH ST		OMAHA	NE	68112-1848
LOUISIANA CHEMICAL DISMANTLING CO INC	24 27TH ST		KENNER	LA	70062-4904
LOUK AG SERVICES LLC	506 E RUSSELL ST		JEFFERSON	IA	50129-4700
LOYD BUILDERS INC	PO BOX 266		OTTAWA	KS	66067-0266
LR MOURNING CO	2230 COTTONDALE LN STE 5		LITTLE ROCK	AR	72202-2048
LSX CONSTRUCTION LLC	34605 W 255TH ST		PAOLA	KS	66071-4213
LUCAS INC	12525 ANTIOCH RD STE 102		OVERLAND PARK	KS	66213-2001

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LYNN ELECTRIC & COMMUNICATIONS, INC.	725 N 2ND ST STE K		LAWRENCE	KS	66044-1442
M & J ELECTRIC OF WICHITA LLC	1444 S SAINT CLAIR AVE BLDG D		WICHITA	KS	67213-2938
M & L ELECTRICAL INC	6060 SCOTTSVILLE RD		BOWLING GREEN	KY	42104-0388
M & W CONTRACTORS INC	PO BOX 2510		EAST PEORIA	IL	61611-0510
M&M CONSTRUCTION GROUP INC	4707 S 101ST EAST AVE		TULSA	OK	74146-4725
M.G. DYESS INC	7159 HIGHWAY 35		BASSFIELD	MS	39421-9678
MAAS CONSTRUCTION INC	3615 SAINT ANTHONY RD		QUINCY	IL	62305-8121
MAC INDUSTRIAL SERVICES, INC.	1010 S 7TH ST		ROCHELLE	IL	61068-9309
MACDOUGALL PIERCE CONSTRUCTION INC	12720 FORD DR		FISHERS	IN	46038-2893
MACHINE REPAIR INTERNATIONAL	1300 OLIVER RD STE 240		FAIRFIELD	CA	94534-3428
MAGNUM ELECTRIC OF MISSOURI INC	471 CHRISTIANSON DR		WEST FARGO	ND	58078-8304
MAHANEY GROUP INC	2822 N MEAD ST		WICHITA	KS	67219-4241
MAJOR REFRIGERATION CO INC	314 W NORTHWESTERN AVE		NORFOLK	NE	68701-6404
MANAGEMENT RESOURCE SYSTEMS INC	1907 BAKER RD		HIGH POINT	NC	27263-2007
MANATTS INC	PO BOX 535		BROOKLYN	IA	52211-0535
MAR LAN CONSTRUCTION LC	1008 NEW HAMPSHIRE ST		LAWRENCE	KS	66044-3060
MARC JONES CONSTRUCTION LLC	22171 MCH RD		MANDEVILLE	LA	70471-7774

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MASONS LANDSCAPING & CONSTRUCTION SERVICES INC	1716 TUDOR AVE		E SAINT LOUIS	IL	62207-2120
MATHIS EXCAVATING INC	527 QUILLMAN RD		DU QUOIN	IL	62832-4102
MATTCON GENERAL CONTRACTORS INC	PO BOX 98		ZIONSVILLE	IN	46077-0098
MAX TRUE FIREPROOFING CO	PO BOX 1029		JENKS	OK	74037-1029
MAXCOR INC	PO BOX 1354		PERRY	GA	31069-1354
MAYHEWS MECHANICAL COMMERCIAL REFRIGERATION INC	PO BOX 17955		N LITTLE ROCK	AR	72117-0955
MC ELECTRIC INC	7648 LL RD		RED BUD	IL	62278-2522
MCAFEE HENDERSON SOLUTIONS INC	PO BOX 397		OSKALOOSA	KS	66066-0397
MCFARLAND INDOOR COMFORT SERVICES	4008 BRADEN AVE		GRANITE CITY	IL	62040-2201
MCSHANE CONSTRUCTION COMPANY LLC	9550 W HIGGINS RD STE 200		ROSEMONT	IL	60018-4906
ME MECHANICAL INC	2501 ELLINGTON RD		QUINCY	IL	62305-8828
MECHANICAL CONSTRUCTION SERVICES INC	PO BOX 335		NEWARK	AR	72562-0335
MEYER CONTRACTING AND CONSTRUCTION INC	11000 93RD AVE N		MAPLE GROVE	MN	55369-4113
MEYLAN INDUSTRIAL SERVICES INC	3919 S 147TH ST STE 124		OMAHA	NE	68144-5579
MICHAEL R STENZEL	3132 305TH AVE		HAMBURG	IA	51640-4011
MICHIGAN COMMERCIAL CONTRACTORS INC	16745 COMSTOCK ST		GRAND HAVEN	MI	49417-7949

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MID AMERICA MILLING COMPANY LLC	6200 E HIGHWAY 62 UNIT 100		JEFFERSONVILLE	IN	47130-8769
MID AMERICA PIPELINE CONSTRUCTION INC	PO BOX 1830		CATOOSA	OK	74015-1830
MID SOUTH INDUSTRIAL INC	PO BOX 609		BELLS	TN	38006-0609
MID STATES INDUSTRIAL INC	519 SHIPYARD RD		SENECA	IL	61360-9203
MIDDENDORF AND REUSS CONSTRUCTION INC	800 S BREEZE STREET STE 1		WATERLOO	IL	62298
MIDLAND RESTORATION COMPANY INC	2159 INDIAN RD		FORT SCOTT	KS	66701-8732
MIDWEST COATING INC	3830 NW 16TH ST		TOPEKA	KS	66618-2846
MIDWEST COOLING TOWERS INC	1156 E HIGHWAY 19		CHICKASHA	OK	73018-6347
MIDWEST CUSTOM POOLS LLC	600 LINCOLN ST		LAWRENCE	KS	66044-5349
MIDWEST FACILITIES & CONSTRUCTION LLC	125 S GARFIELD ST		HINCKLEY	IL	60520-9708
MIDWEST LIQUID SYSTEMS INC	1414 21ST AVE	PO BOX 71	ELDORA	IA	50627-1914
MIDWEST MECHANICAL INDUSTRIAL SERVICES	PO BOX 164		LOGAN	IA	51546-0164
MIDWEST MOLE INC	6814 W 350 N		GREENFIELD	IN	46140-9617
MIDWEST MOWING INC	2450 OWENS LN		BRIGHTON	IL	62012-1550
MILESTONE CONSTRUCTION CO LLC	2002 S 48TH ST		SPRINGDALE	AR	72762-5772
MINNESOTA LIMITED LLC	PO BOX 410		BIG LAKE	MN	55309-0410
MIRA ENTERPRISES	9500 IH 20		EASTLAND	TX	76448-5739

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MIRON CONSTRUCTION CO INC	PO BOX 509		NEENAH	WI	54957-0509
MISSION MASONRY	7737 MISSION RD		PRAIRIE VLG	KS	66208-4231
MIXER SYSTEMS INC	PO BOX 10		PEWAUKEE	WI	53072-0010
MJM SERVICES CONSTRUCTION INC	PO BOX 24006		BELLEVILLE	IL	62223-9006
MKD ELECTRIC INC	2590 ALFT LN STE A		ELGIN	IL	60124-7820
MODERN BUSINESS ASSOCIATES V INC	9455 KOGER BLVD N STE 200		ST PETERSBURG	FL	33702-2465
MODERN PIPING OF IOWA INC	500 WALFORD RD		CEDAR RAPIDS	IA	52404-8921
MODIFIED CONCRETE SUPPLIES LLC	6200 E HIGHWAY 62 BLDG 2501		JEFFERSONVILLE	IN	47130-8769
MOLIN CONCRETE PRODUCTS CO INC	415 LILAC ST		LINO LAKES	MN	55014-1098
MOLLERS NORTH AMERICA INC	PO BOX 888820		GRAND RAPIDS	MI	49588-8820
MONARCH BUILD LLC	8100 NEWTON ST STE 300		OVERLAND PARK	KS	66204-3669
MORGAN HAYDEN LLC	136 HUD RD		WINCHESTER	KY	40391-9736
MORRISON BROS CONSTRUCTION COMPANY	2134 N 81ST ST		CASEYVILLE	IL	62232-1604
MORRISSEY CONTRACTING COMPANY INC	PO BOX 67		GODFREY	IL	62035-0067
MOSS ROOFING & INSULATION INC	310 HIGHWAY 150 S		WEST UNION	IA	52175-1505
MOUNT FARM DRAINAGE LLC	3313 260TH ST		RIVERTON	IA	51650-6002
MOUNTAIN STATES ROOFING INC	413 E 41ST ST		GARDEN CITY	ID	83714-6310

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MTD ELECTRIC LLC	22004 S WAVERLY RD		SPRING HILL	KS	66083-4548
MTT CO	PO BOX 161		DENISON	IA	51442-0161
MUELLER CONTRACTING LLC	2924 MAUS RD		FULTS	IL	62244-1506
MULTATECH ENGINEERING INC	2821 W 7TH ST STE 400		FORT WORTH	TX	76107-8913
MUNICIPAL PIPE SERVICES INC	1550 NE 51ST AVE		DES MOINES	IA	50313-2123
MUNICIPAL PIPE TOOL COMPANY LLC	515 5TH ST		HUDSON	IA	50643-7773
MUNIE TRENCHING & EXCAVATING	1818 PINE ST		HIGHLAND	IL	62249-2526
MURPHREE FAMILY INVESTMENTS	PO BOX 2094		BATESVILLE	AR	72503-2094
MYLES LORENTZ INC	48822 OLD RIVER BLUFF RD		SAINT PETER	MN	56082-5059
NACI HOLDINGS INC	5706 RICHMOND RD		RINGWOOD	IL	60072-9643
NATCO DESIGN BUILD LLC	PO BOX 77705		BATON ROUGE	LA	70879-7705
NATIONAL BRIDGE	514 ANCLOTE RD		TARPON SPGS	FL	34689-6701
NATIONAL CONDUCTOR CONSTRUCTORS LLC	18119 STATE HIGHWAY 371		BRAINERD	MN	56401-6822
NATIONAL ERECTORS & BUILDERS INC	13739 KAYSER RD		HIGHLAND	IL	62249-4619
NATIONAL ROOFING AND SHEET METAL COMPANY INC	G4130 FLINT ASPHALT DRIVE		BURTON	MI	48529
NATIONAL WASH AUTHORITY LLC	100 N JACKSON ST		MORRISON	IL	61270-3037
NATIONAL WELDING CORPORATION	7025 S COMMERCE PARK DR		MIDVALE	UT	84047-1090

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NATIONWIDE FENCE AND SUPPLY COMPANY	69951 LOWE PLANK RD		RICHMOND	MI	48062-5365
NBMC INC	PO BOX 300		GREENBRIER	AR	72058-0300
NELSON INDUSTRIAL SERVICES INC	6021 MELROSE LN		OKLAHOMA CITY	OK	73127-5527
NEMAHA LANDSCAPE CONSTRUCTION INC	541 S 1ST ST STE 1		LINCOLN	NE	68508-2909
NEW LEAF BUILDERS	6201 W 55TH ST		MISSION	KS	66202-2518
NEW TECH CONSTRUCTION INC	PO BOX 39		NEBRASKA CITY	NE	68410-0039
NEW WAVE POOLS & SPAS INC	13312 GILES RD		OMAHA	NE	68138-3467
NEXT LEVEL STRATEGY LLC	1201 N RIVERFRONT BLVD STE 150		DALLAS	TX	75207-4001
NOHAVA CONSTRUCTION INC	51 ST ANDREWS WAY		SIOUX CENTER	IA	51250-2955
NORTH AMERICAN ROOFING SERVICES LLC	14025 RIVEREDGE DR STE 600		TAMPA	FL	33637-2088
NORTH CENTRAL SERVICE INC	PO BOX 310		BEMIDJI	MN	56619-0310
NORTH MISSISSIPPI CONVEYOR COMPANY INC	PO BOX 1375		OXFORD	MS	38655-1375
NORTHERN CLEARING INC	28190 STATE HIGHWAY 137		ASHLAND	WI	54806-4601
NORTHERN GENERAL CONTRACTORS, INC.	PO BOX 900		PALMER	MA	01069-0900
NORTHSTAR DEMOLITION & REMEDIATION LP	404 N BERRY ST		BREA	CA	92821-3104
NOVINIUM INC	22820 RUSSELL RD		KENT	WA	98032-4892

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NU TEC ROOFING CONTRACTORS LLC	5025 EMCO DR		INDIANAPOLIS	IN	46220-4846
NUTRI-JECT SYSTEMS INC	PO BOX 398		HUDSON	IA	50643-0398
OLYMPUS CONSTRUCTION INC	2506 W WASHINGTON AVE		JONESBORO	AR	72401-9258
OLYMPUS PAINTING CONTRACTORS INC	556 ANCLOTE RD		TARPON SPGS	FL	34689-6701
ONEALS ELECTRIC HEATING & COOLING INC	2700 BAUGHMAN CUTOFF RD		HARRISON	AR	72601-6720
OSMENT ROOFING SYSTEMS INC	4201 E NETTLETON AVE		JONESBORO	AR	72401-5560
OTC SERVICES INC	PO BOX 188		LOUISVILLE	OH	44641-0188
OTTO BAUM COMPANY INC	866 N MAIN ST		MORTON	IL	61550-1645
OUTDOOR SYSTEMS INC	660 STATE ROUTE 158		COLUMBIA	IL	62236-3232
P&P ARTEC INC	700 CREEL DR		WOOD DALE	IL	60191-2608
PAINT PRO OF MISSOURI INC	6930 W 152ND TER		OVERLAND PARK	KS	66223-3125
PARAGON INSTALLATIONS INC	711 GARFIELD AVE		VALPARAISO	IN	46383-5412
PARAGON INTERNATIONAL INC	2885 N BERKELEY LAKE RD NW STE 17		DULUTH	GA	30096-4343
PARK CONSTRUCTION MIDWEST INC	1481 81ST AVE NE		MINNEAPOLIS	MN	55432-1795
PARK DEROCHIE COATINGS AND LININGS, LLC	11835 - 28 STREET NE		EDMONTON	AB	T6S 1C8
PARKWAY C&A LP	1000 CIVIC CIR		LEWISVILLE	TX	75067-3493
PARSONS PROJECT SERVICES INC	16055 SPACE CENTER BLVD STE 725		HOUSTON	TX	77062-6269

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PARTLAN-LABADIE SHEET METAL CO.	12901 CLOVERDALE ST		OAK PARK	MI	48237-3205
PATRIOT DRYWALL COMPANY INC	9337 W 53RD ST		SHAWNEE	KS	66203-2113
PAULON CONSTRUCTION MANAGEMENT CORP	13189 OYSTER LAKE RD		HOLLY	MI	48442-7903
PAVEWAY SYSTEMS INC	114 INDIAN LAKES LN		FLORAHOME	FL	32140-3614
PAYNE CONSTRUCTION SERVICES LLC	10565 DOWNTA LN		BUNKER HILL	IL	62014-2855
PEPPER CONSTRUCTION COMPANY	411 LAKE ZURICH RD		BARRINGTON	IL	60010-3179
PERENNIAL ENVIRONMENTAL I LLC	13100 NORTHWEST FWY STE 160		HOUSTON	TX	77040-6343
PERFECT PLAY FIELDS AND LINKS INC	PO BOX 24006		BELLEVILLE	IL	62223-9006
PERFORMANCE CONTRACTORS INC	PO BOX 83630		BATON ROUGE	LA	70884-3630
PERRETT CONSTRUCTION LTD	PO BOX 32		VALENTINE	NE	69201-0032
PETREE CONSTRUCTION	1100 S D ST		FORT SMITH	AR	72901-4510
PETTUS PLUMBING & PIPING INC	PO BOX 1048		ROGERSVILLE	AL	35652-1048
PIASA COMMERCIAL INTERIORS INC	1001 S MORRISON AVE		COLLINSVILLE	IL	62234-1514
PINNACLE CONSTRUCTION OF IOWA INC	PO BOX 368		GLENWOOD	IA	51534-0368
PINNACLE MECHANICAL	PO BOX 133		HORTON	AL	35980-0133
PIPING CONTRACTORS OF KANSAS INC	115 SW JACKSON ST		TOPEKA	KS	66603-3311

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PISHNY REAL ESTATE SERVICES LLC	12202 W 88TH ST		LENEXA	KS	66215-4607
PITRE CONSTRUCTION INC	6835 TOWN HALL RD		BELLEVILLE	IL	62223-8623
PLANT MAINTENANCE SERVICE CORPORATION	3000 FITE RD		MILLINGTON	TN	38053-8334
PLYLERS AT YOUR SERVICE INC	10 CREEK ST		BROOKVILLE	PA	15825-1401
P-N-G CONTRACTING INC	917 CARLA DR		TROY	IL	62294-3153
POLY VINYL ROOFING INC	785 ELBOW CREEK RD		MOUNT VERNON	IA	52314-9732
PORTERS COMMERCIAL REFRIGERATION INC	118 RIDGE DR		GREENBRIER	AR	72058-9652
POWERSECURE INC	1609 HERITAGE COMMERCE CT		WAKE FOREST	NC	27587-4245
PRAIRIE CENTER PLUMBING HEATING & AIR CONDITIONING	242 N MARION ST		OLATHE	KS	66061-3105
PRAIRIE CONTRACTORS INC	9318 GULFSTREAM RD STE C		FRANKFORT	IL	60423-2538
PRECISION SAFE SIDEWALKS OF AR-MO LLC	419 FRANKLIN ST		CLARKSVILLE	TN	37040-3423
PRECISION UTILITIES GROUP INC	5916 E STATE BLVD		FORT WAYNE	IN	46815-7637
PREDICTIVE TECHNOLOGIES INC	18827 570TH AVE		AUSTIN	MN	55912-5986
PREFERRED GLOBAL INC	1360 S 10TH ST		NOBLESVILLE	IN	46060-3828
PRELOAD LLC	4000 TOWER RD		LOUISVILLE	KY	40219-1901
PREMIER SITE SERVICES LLC	PO BOX 495		COLUMBUS	MS	39703-0495
PREMIER STEEL INC	3248 MARTIN LUTHER KING		ANDERSON	IN	46013

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PRO ALARM LLC	130 N DUNCAN ST		MARINE	IL	62061
PROBST ELECTRIC INC	441 W POWERLINE RD		HEBER CITY	UT	84032-1277
PROCESS EQUIPMENT INC	PO BOX 1607		PELHAM	AL	35124-5607
PRODYN LLC	100 CATHEDRAL ST STE 5		ANNAPOLIS	MD	21401-2702
PROGRESSIVE PLUMBING & PIPING INC	6007 W 8000 S		PAYSON	UT	84651-9724
PROSHOT CONCRETE INC	4158 MUSGROVE DR		FLORENCE	AL	35630-6396
PROSSER WILBERT CONSTRUCTION INC	13730 W 108TH ST		LENEXA	KS	66215-2026
PROTACK, LLC	PO BOX 649		MORRIS	IL	60450-0650
PSF MECHANICAL INC	11621 E MARGINAL WAY S # A		TUKWILA	WA	98168-1965
PWI CONSTRUCTION INC	3903 W MARTIN AVE		LAS VEGAS	NV	89118-4500
Q & D CONSTRUCTION INC	PO BOX 10865		RENO	NV	89510-0835
Q3 CONTRACTING INC	3066 SPRUCE ST		LITTLE CANADA	MN	55117-1061
QCI THERMAL SYSTEMS INC	PO BOX 2432		DAVENPORT	IA	52809-2432
QUALITY ELECTRIC OF DOUGLAS COUNTY INC	1011 E 31ST ST		LAWRENCE	KS	66046-5103
QUALITY POLE INSPECTION & MAINTENANCE INC	PO BOX 947		EDNA	TX	77957-0947
QUALITY STRIPING INC	1704 E EUCLID AVE		DES MOINES	IA	50313-4730
R L BRINK CORPORATION	4400 N 24TH ST		QUINCY	IL	62305-7775
RABB'S CONSTRUCTION, LLC	2084 HIGHWAY 425 N		MONTICELLO	MO	71655-8863
RAGAN MECHANICAL INC	702 W 76TH ST		DAVENPORT	IA	52806-1317
RAGNAR BENSON LLC	PO BOX 2071		LOVES PARK	IL	61130-0071

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RAM CONSTRUCTION SERVICES OF MICHIGAN INC	13800 ECKLES RD		LIVONIA	MI	48150-1041
RAMON GARCIA CONSTRUCTION LLC	PO BOX 12743		KANSAS CITY	KS	66112-0743
RANCH CRYOGENICS, INC.	11845 S BREWSTER RD		DWIGHT	IL	60420-9673
RANGER PLANT CONSTRUCTIONAL CO INC	5851 E INTERSTATE 20		ABILENE	TX	79601-7625
RAWLINGS INDUSTRIAL INC	PO BOX 1438		HAMILTON	MT	59840-1438
RE CON COMPANY A TEXAS CORP	12 NE 52ND ST		OKLAHOMA CITY	OK	73105-1888
RECTENWALD BROTHERS CONSTRUCTION INC	16 LEONBERG RD		CRANBERRY TWP	PA	16066-3602
REDNOUR STEEL ERECTORS INC	PO BOX 116		CUTLER	IL	62238-0116
REED DILLON & ASSOCIATES LLC	1213 E 24TH ST		LAWRENCE	KS	66046-5128
REINER CONSTRUCTION CORP	2164 CITYGATE DR		COLUMBUS	OH	43219-3556
RELIABLE RELAMPING INC	6459 NASH RD		SARANAC	MI	48881-9608
RELIAUTEC INC	2280 SIBLEY CT		EAGAN	MN	55122-1998
REMBCO GEOTECHNICAL CONTRACTORS INC	PO BOX 23009		KNOXVILLE	TN	37933-1009
RES SYSTEM 3	1610 ARDEN WAY STE 280		SACRAMENTO	CA	95815-4050
RESA SERVICE LLC	8300 CYRESS CREEK PKWY #225		HOUSTON	TX	77070
RETAIL CONSTRUCTION SERVICES INC	11343 39TH ST N		LAKE ELMO	MN	55042-9586
RETAIL STOREFRONT GROUP INC	PO BOX 1070		LEEDS	AL	35094-0020

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RFB CONSTRUCTION CO INC	565 E 520TH AVE		PITTSBURG	KS	66762-6829
RICH PLUMBING INC	702 N WALNUT ST	P O BOX 407	WAPELLA	IL	61777-0407
RICHARD GOETTLE INC	12071 HAMILTON AVE		CINCINNATI	OH	45231-1032
RICHARD NACHBAR PLUMBING INC	9053 COTTONWOOD CANYON PL		LENEXA	KS	66219-8174
RIEKE GRADING INC	8200 HEDGE LANE TER		SHAWNEE	KS	66227-3037
RIGHT WAY FACILITY SERVICES OF TEXAS LLC	503 MERCEDES ST STE B		BENBROOK	TX	76126-2572
RIVER CITIES ENGINEERING INC	125 W 76th St		Davenport	IA	52806-1340
RJ MARTIN NATIONAL CONTRACTING INC	22841 AURORA RD		BEDFORD HTS	OH	44146-1244
RJ MECHANICAL INC	3153 BELWOOD DR		VESTAVIA	AL	35243-5216
RL BISHOP & ASSOCIATES INC	PO BOX 703		MANCHESTER	GA	31816-0703
RL COOLSAET CONSTRUCTION COMPANY	PO BOX 279		TAYLOR	MI	48180-0279
RMS CRANES LLC	1961 E 64TH AVE		DENVER	CO	80229-7414
ROCK REMOVAL RESOURCES LLC	1125 N MILITARY AVE		GREEN BAY	WI	54303-4413
ROCKFORD CONSTRUCTION CO	601 1ST ST NW		GRAND RAPIDS	MI	49504-5517
ROEHL REFRIGERATED TRANSPORT LLC	PO BOX 750		MARSHFIELD	WI	54449-0750
ROLLING PLAINS CONSTRUCTION INC	12331 PEORIA ST		HENDERSON	CO	80640-9650
RON WEERS CONSTRUCTION INC	20765 FOSTER CT		BUCYRUS	KS	66013-9080

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RON'S SIGN COMPANY	1329 S HANDLEY ST		WICHITA	KS	67213-4316
ROPE PARTNER INC	125 MCPHERSON ST STE B		SANTA CRUZ	CA	95060-5883
ROYAL ROOFING COMPANY INC	2445 BROWN RD		ORION	MI	48359-1810
ROYALTY COMPANIES OF INDIANA INC	2099 E TIPTON ST		SEYMOUR	IN	47274-3567
RP COATINGS INC	PO BOX 327		TROY	IL	62294-0327
RUSS CONSTRUCTION	3874 LIMMER LOOP		HUTTO	TX	78634-4523
RWS ENTERPRISES LLC	8725 ROSEHILL RD STE 119		LENEXA	KS	66215-4611
RYAN INCORPORATED CENTRAL	PO BOX 206		JANESVILLE	WI	53547-0206
S & K REECE CONSTRUCTION LLC	11501 W 109TH ST		OVERLAND PARK	KS	66210-1235
S & W CONSTRUCTION LLC OF IOWA	109 MOODY DR		HAMBURG	IA	51640-1803
S AND K SECURITY GROUP LLC	PO BOX 1091		ST IGNATIUS	MT	59865-1091
S E INCORPORATED OF WYOMING	PO BOX 165		DEAVER	WY	82421-0165
S. SHAFFER EXCAVATING, INCORPORATED	4212 SAMS RD		GRANITE CITY	IL	62040-6472
SACHSE CONSTRUCTION AND DEVELOPMENT COMPANY LLC	1528 WOODWARD AVE STE 600		DETROIT	MI	48226-2038
SAMRON MIDWEST CONTRACTING INC	PO BOX 1555		MURPHYSBORO	IL	62966-5055
SARENS USA INC	5000 EXECUTIVE PKWY STE 230		SAN RAMON	CA	94583-4341
SATELLITE SERVICES INC	309 S FRONT ST		MARQUETTE	MI	49855-4600

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SCG FIELDS LLC	10303 BRECKSVILLE RD		BRECKSVILLE	OH	44141-3335
SCHEIDT & BACHMANN USA INC	1001 PAWTUCKET BLVD		LOWELL	MA	01854-1040
SCHEINER COMMERCIAL GROUP INC	18965 BASE CAMP RD STE A-1		MONUMENT	CO	80132-8067
SCHERZINGER DRILLING INC	PO BOX 202		MIAMITOWN	OH	45041-0202
SCHLEIS FLOOR COVERING INC	998 GLORY RD		GREEN BAY	WI	54304-5631
SCHREIBER CORPORATION	29945 BECK RD		WIXOM	MI	48393-2836
SCHUFF STEEL COMPANY	PO BOX 19028		PHOENIX	AZ	85005-9028
SCHULTZ BROTHERS ELECTRIC CO INC	3030 S 24TH ST # A		KANSAS CITY	KS	66106-4707
SCHUMACHER ELEVATOR COMPANY	1 SCHUMACHER WAY		DENVER	IA	50622-7729
SCHUPPS LINE CONSTRUCTION INC	PO BOX 13655		ALBANY	NY	12212-3655
SCHWICKERTS TECTA AMERICA LLC	330 POPLAR ST		MANKATO	MN	56001-2312
SCOTT ENTERPRISES ROOFING & SHEET METAL	9684 N 109TH AVE		OMAHA	NE	68142-1124
SCS CONSTRUCTION SERVICES INCORPORATED	156 S PARK BLVD		GREENWOOD	IN	46143-8837
SEAKAY CONSTRUCTION SE CORP	19001 BUCKLOGE RD		BOYDS	MD	20841-9536
SEAMLESS SOLUTIONS LLC	12605 W SANTA FE TRAIL DR		LENEXA	KS	66215
SEELE INC	24 W 40TH ST FL 12		NEW YORK	NY	10018-1094
SEITHER & CHERRY QUAD CITIES INC	611 E 59TH ST		DAVENPORT	IA	52807-2626

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SEK HEAT & AIR INC	422 W ATKINSON RD		PITTSBURG	KS	66762-8634
SEMINOLE EQUIPMENT INC	204 TARPON INDUSTRIAL DR		TARPON SPGS	FL	34689-6801
SERVICE & INDUSTRIAL REPAIR INC	18097 VAIL RD		PLEASANTON	KS	66075-7503
SEVEN25 LLC	12080 DURBIN DR		CARMEL	IN	46032-8939
SG CONSTRUCTION SERVICES LLC	111 E COURT ST STE 1A		FLINT	MI	48502-1649
SHAFFER ENTERPRISES D & T LLC	301 LEONA LN		URSA	IL	62376-1119
SHEET PILING SERVICES LLC	6872 STATE HIGHWAY 66		CUSTER	WI	54423-9608
SHERMCO INDUSTRIES INC	PO BOX 540545		DALLAS	TX	75354-0545
SHORTRIDGE CONSTRUCTION COMPANY, INC	3908 N 24TH ST		QUINCY	IL	62305-9628
SIERRA BRAVO CONTRACTORS LLC	7038 STATE HIGHWAY 154		SESSER	IL	62884
SIGN CRAFTERS INC	1508 STRINGTOWN RD		EVANSVILLE	IN	47711-4593
SIGN ME UP OF WISCONSIN LLC	311 FOREST AVE		SHEBOYGAN FLS	WI	53085-2526
SIMBECK & ASSOCIATES INC	38256 HIGHWAY 160		MANCOS	CO	81328-8967
SIMON ROOFING AND SHEET METAL CORP	70 KARAGO AVE		YOUNGSTOWN	OH	44512-5949
SKYLINE TECHNOLOGY SOLUTIONS LLC	6956F AVIATION BLVD		GLEN BURNIE	MD	21061-2531
SKYTOP TOWERS INC	13503 W US HIGHWAY 34		MALCOLM	NE	68402-9783
SLAYDEN GLASS INC	239 N OLD SAINT LOUIS RD		WOOD RIVER	IL	62095-1437
SMART RESTORATION LLC	4440 OLIVER ST		KANSAS CITY	KS	66106-3763

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SMITH HAFEL INC	1825 W MAIN ST		MARION	IL	62959-1265
SMITH TANK & STEEL INC	PO BOX 2370		GONZALES	LA	70707-2370
SMITHSON INC	PO BOX 1731		ROCKY MOUNT	NC	27802-1731
SNELL NORTHCUTT ELECTRIC INC	P O BOX 24601		LITTLE ROCK	AR	72221
SNELSON COMPANIES INC	601 W STATE ST		SEDRO WOOLLEY	WA	98284-1560
SNI COMPANIES	PO BOX 367		NORWALK	IA	50211-0367
SOLARIS ROOFING SOLUTIONS INC	31W023 NORTH AVE		WEST CHICAGO	IL	60185-1060
SOLID PLATFORMS INC	6610 MELTON RD		PORTAGE	IN	46368-1236
SORELLA GROUP	14844 W 107TH ST		LENEXA	KS	66215-4002
SOUTHEAST DIRECTIONAL DRILLING LLC	3117 N CESSNA AVE		CASA GRANDE	AZ	85122-7947
SOUTHEAST INDUSTRIAL LLC	800 W MORRIS BLVD		MORRISTOWN	TN	37813-2024
SOUTHEAST POWER CORPORATION	1684 W HIBISCUS BLVD		MELBOURNE	FL	32901-2631
SOUTHEASTERN INSTALLATION INC	207 CEDAR LANE DR		LEXINGTON	NC	27292-5711
SOUTHERN CONTRACTING, LLC	777 ALLOY DR		NEWBERN	TN	38059-1171
SOUTHERN ENVIRONMENTAL INC	6540 W NINE MILE RD		PENSACOLA	FL	32526-4288
SOUTHERN ERECTORS INC	6540 W NINE MILE RD		PENSACOLA	FL	32526-4288
SOUTHERN MARINE CONSTRUCTION CO	PO BOX 4539		CHATTANOOGA	TN	37405-0539
SOVEREIGN STAFFING GROUP INC	1041 E 151ST ST		OLATHE	KS	66062-3417

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SOWARDS GLASS, INC	2600 NW TOPEKA BLVD STE C		TOPEKA	KS	66617-1160
SPARROW PLUMBING & HEATING INC	313 DELAWARE ST		QUINCY	IL	62301-4823
SPEC PRO INCORPORATED OF NEBRASKA	309 E 2ND ST STE 4		PAPILLION	NE	68046-2469
SPECTRA TECH LLC	10340 PLEASANT ST STE 100		NOBLESVILLE	IN	46060-3947
SPORTS METALS INC	PO BOX 1338		PHENIX CITY	AL	36868-1338
SQUARE B LLC	500 W SOUTH ST STE 1		LINCOLN	NE	68522-1744
SRM CONSTRUCTION MATERIAL & SUPPLY	4926 CHURCH RD		CENTREVILLE	IL	62207-1392
SRW CONSTRUCTION SERVICES INC	PO BOX 412		HIGDEN	AR	72067-0412
SSI INCORPORATED OF NW ARKANSAS	2817 YUMA ST		FORT SMITH	AR	72901-8778
ST COTTER TURBINE SERVICES INC	2135 196TH ST E		CLEARWATER	MN	55320-1660
STANDARD CARTAGE CO INC	2400 S 27TH AVE		BROADVIEW	IL	60155-3853
STANDARD ELECTRIC, TOO, LLC	2006 E PRAIRIE CIR		OLATHE	KS	66062-1268
STEPHENS & SMITH CONSTRUCTION CO INC	1542 S 1ST ST		LINCOLN	NE	68502-1999
STEVE HOEGGER & ASSOCIATES INC	2630 N HIGHWAY 78		WYLIE	TX	75098-6055
STILL CONTRACTORS LLC	15740 S MAHAFFIE ST		OLATHE	KS	66062-4038
STONEBRIDGE CONSTRUCTION LLC	PO BOX 16787		JONESBORO	AR	72403-6712

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STORM TECHNICAL SERVICES CO	PO Box 429		Albemarle	NC	28002-0429
STORY CONSTRUCTION CO	2810 WAKEFIELD CIR		AMES	IA	50010-7725
STRAUGHN FARM INC	11571 N 4000E RD		PEOTONE	IL	60468-9459
STRINGER CONSTRUCTION COMPANY INC	6141 LUCILLE LN		SHAWNEE	KS	66203-2609
STRUCTURAL RESTORATION INC	305 3RD ST		FARMINGTON	MN	55024-1352
STRUCTURAL WATERPROOFING INC	PO BOX 255		FARMINGTON	MN	55024-0255
STUTZ EXCAVATING, INC.	3837 FOSTERBURG RD		ALTON	IL	62002-7323
SUMMIT HEARTLAND LLC	3823 W 1800 S		REMINGTON	IN	47977-8831
SUNBELT FIRE PROTECTION INC	1520 S MEMORIAL DR		TULSA	OK	74112-7039
SUNLAND CONSTRUCTION INC	PO BOX 1087		EUNICE	LA	70535-1087
SUPER SKY PRODUCTS ENTERPRISES LLC	10301 N ENTERPRISE DR		MEQUON	WI	53092-4639
SUPERIOR CONCRETE FENCE OF TEXAS INC	1203 RAIDER DR		EULESS	TX	76040-6238
SUPREME ELECTRIC CO	PO BOX 114		QUINCY	IL	62306-0114
SURE STEEL INC	7528 CORNIA DR		SOUTH WEBER	UT	84405-9605
SURFACE AMERICA INC	PO BOX 157		WILLIAMSVILLE	NY	14231-0157
SURFACE PREPARATION TECHNOLOGIES LLC	PO BOX 834		NEW KINGSTOWN	PA	17072-0834
SURVEYS LAND AND CONSTRUCTION INC	PO BOX 250		ELLSWORTH	KS	67439-0250

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SUTTERFIELD ELECTRIC CONTRACTING CORP	339 N OLD SAINT LOUIS RD		WOOD RIVER	IL	62095-1165
SWIFT ROOFING INC	PO BOX 1102		MURRAY	KY	42071-0020
SYBRAN COMMUNICATIONS INC	16500 INDIAN CREEK PKWY STE 102		OLATHE	KS	66062-1215
SYSTEMS PLANT SERVICES INC	214 N WASHINGTON AVE STE 700		EL DORADO	AR	71730-5659
T & G CONSTRUCTION OF STILLWATER INC	5865 NEAL AVE N # 259		STILLWATER	MN	55082-2177
T WINN CONSTRUCTION COMPANY	15022 A CIR		OMAHA	NE	68144-5558
TAILORED FOAM INCORPORATED	PO BOX 4186		HICKORY	NC	28603-4186
TANCO ENGINEERING INC	1400 TAURUS CT		LOVELAND	CO	80537-3297
TANK BUILDERS INC	PO BOX 1527		EULESS	TX	76039-1527
TANK FOUNDATIONS INC	410 W FRONT ST		LAKE MILLS	IA	50450-1109
TANK INDUSTRY CONSULTANTS INC	7740 W NEW YORK ST		INDIANAPOLIS	IN	46214-4939
TARPAN CONSTRUCTION LLC	6756 HIGHWAY 29		COTTONPORT	LA	71327-4228
TATE GENERAL CONTRACTORS INC	115 WOODY LN		JONESBORO	AR	72401-0496
TATE ORNAMENTAL INC	496 SAGE RD N		WHITE HOUSE	TN	37188-8174
TAYLOR BROS CONSTRUCTION CO INC	4555 MIDDLE RD		COLUMBUS	IN	47203-1834
TCI SERVICES LLC	4333 W 21ST ST		TULSA	OK	74107-3444
TDR CONTRACTORS INC	PO BOX 1003		GILMER	TX	75644-1003
TDS CONSTRUCTION 1 INC	4239 63RD ST W		BRADENTON	FL	34209-6647

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TECTA AMERICA ILLINOIS ROOFING LLC	4813 KINGSTON AVE		LISLE	IL	60532-2220
TELLUS LLC	829 NANCY LYNN LN		ARNOLD	MD	21012-3025
TENNESSEE ELECTRIC COMPANY INC	1025 KONNAROCK RD		KINGSPORT	TN	37664-3720
TERRA-GEN OPERATING COMPANY, LLC	437 MADISON AVE FL 22A		NEW YORK	NY	10022-7036
TERRAZZO USA AND ASSOCIATES INC	9532 TOWRY CT		OKLAHOMA CITY	OK	73165-4629
TERRY & TERRY CONSTRUCTION LLC	723 E MAIN ST		CHARLESTON	AR	72933-9000
TERWISSCHA CONSTRUCTION INC	1550 WILLMAR AVE SE		WILLMAR	MN	56201-4762
TEXAS ALLIANCE GROUP INC	11288 WEST RD		HOUSTON	TX	77065-4493
TEXOMA INDUSTRIAL INSULATION ASSOCIATION	PO BOX 497		DENISON	TX	75021-0497
TFR ENTERPRISES INC	601 LEANDER DR		LEANDER	TX	78641-2026
TG MERCER CONSULTING SERVICES INC	120 EL CHICO TRL		WILLOW PARK	TX	76087-8865
THE DELVENTHAL COMPANY	3796 ROCKLAND CIR		MILLBURY	OH	43447-9651
THE DRILLER LLC	5125 E UNIVERSITY AVE		PLEASANT HILL	IA	50327-7007
THE FISHEL COMPANY	1366 DUBLIN RD		COLUMBUS	OH	43215-1093
THE FRED CHRISTEN & SONS COMPANY	PO BOX 547		TOLEDO	OH	43697-0547
THE GOETTLE COMPANY	12071 HAMILTON AVE		CINCINNATI	OH	45231-1032
THE KILIAN CORPORATION	PO BOX A		MASCOUTAH	IL	62258-0187
THE MAPP GROUP LLC	344 3RD ST		BATON ROUGE	LA	70801-1307

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THE MAXIS GROUP INC	8225 E DEL CAMINO DR # 100		SCOTTSDALE	AZ	85258-2330
THE NASSAL COMPANY	415 W KALEY ST		ORLANDO	FL	32806-3942
THE RIVERSIDE GROUP INC	13238 S PEORIA AVE		BIXBY	OK	74008-4846
THE ROBINS & MORTON GROUP	PO BOX 59289		BIRMINGHAM	AL	35259-9289
THE ROSS GROUP CONSTRUCTION CORPORATION	PO BOX 690960		TULSA	OK	74169-0960
THERMODYNE COMMERCIAL CLIMATE CONTROL SPECIALISTS	10012 OLD LINCOLN TRL		FAIRVIEW HEIGHTS	IL	62208-2453
THIELSCH ENGINEERING INC	195 FRANCES AVE		CRANSTON	RI	02910-2211
THIRKETTLE CORPORATION	16914 ALAMO PKWY BLDG 2		SELMA	TX	78154
THOMAS GRACE CONSTRUCTION INC	5605 MEMORIAL AVE N		STILLWATER	MN	55082-1092
THOMPSON ELECTRIC COMPANY	3505 S 61ST AVENUE CIR		OMAHA	NE	68106-4306
THOMPSON ELECTRONICS COMPANY	905 S BOSCH RD		PEORIA	IL	61607-1120
THOMPSON THRIFT CONSTRUCTION INC	901 WABASH AVE STE 300		TERRE HAUTE	IN	47807-3233
THRASHER INC	11844 VALLEY RIDGE DR		PAPILLION	NE	68046-6229
TITAN CONTRACTING & LEASING CO INC	2205 RAGU DR		OWENSBORO	KY	42303-1437
TLDB INC	12330 CARY CIR		LA VISTA	NE	68128-5579
TMG CONSTRUCTION MANAGEMENT INC	15420 ENDEAVOR DR		NOBLESVILLE	IN	46060-4921
TMI COATINGS INC	3291 TERMINAL DR		EAGAN	MN	55121-1610

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TOM'S BACKHOE SERVICE INC.	323 WOODLAND HILLS LN		BRAINERD	MN	56401-6514
TOMS TUCKPOINTING LLC	202 W BROADWAY ST		POCAHONTAS	AR	72455-3419
TOTAL CONSTRUCTION SOLUTIONS CO	7630 LOUIS RICH CT		DAVENPORT	IA	52804-2269
TOTAL ELECTRIC CONTRACTORS INC	PO BOX 13247		EDWARDSVILLE	KS	66113-0247
TOUCH UP PLUS	5353 SPRINGFIELD DR		EDWARDSVILLE	IL	62025-5835
TOURNEAR ROOFING CO	2605 SPRING LAKE RD		QUINCY	IL	62305-0523
TOWER TECHNOLOGIES GROUP LLC	PO BOX 266		EDGERTON	WI	53534-0266
TRADEBE ENVIRONMENTAL SERVICES LLC	234 HOBART ST STE 1		MERIDEN	CT	06450-4380
TRANSFLUID SERVICES INC	600 TRAVIS ST STE 6150		HOUSTON	TX	77002-3039
TRI CITY ELECTRIC COMPANY OF IOWA	6225 N BRADY ST		DAVENPORT	IA	52806-0002
TRI COUNTY WELDING & FABRICATION	PO BOX 137		ARTHUR	IL	61911-0137
TRI NORTH BUILDERS INC	PO BOX 259568		MADISON	WI	53725-9568
TRI STATE CONCRETE CORRECTION CO	3215 CORONA RD		QUINCY	IL	62305-8131
TRI STATE HEATING AND ELETRIC INC	PO BOX 1451		KEOKUK	IA	52632-1451
TROCIN INC	1901 MARTIN RD		DRIPTING SPGS	TX	78620-3507
TROST PLASTICS INC	8610 HANOVER INDUSTRIAL DR		COLUMBIA	IL	62236-4632
TROY PIPELINE LLC	PO BOX 450862		HOUSTON	TX	77245-0862

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TST CONSTRUCTION SERVICES LLC	9806 BROCKBANK DR		DALLAS	TX	75220-2943
TUCKER CONSTRUCTION CO	PO BOX 442		LINDSAY	OK	73052
TUCKER TECHNOLOGY INC	300 FRANK H OGAWA PLZ STE 235		OAKLAND	CA	94612-2066
TUFF WRAP INSTALLATIONS INC	2080 DETWILER RD STE 2		HARLEYSVILLE	PA	19438-2911
TURF DESIGN INC	PO BOX 860303		SHAWNEE	KS	66286-0303
TUTTLE INC	110 PAGE ST		FRIEND	NE	68359-1147
TWC CONCRETE LLC	10737 MEDALLION DR		CINCINNATI	OH	45241-4837
TWC CONCRETE SERVICES, LLC	10737 MEDALLION DR		CINCINNATI	OH	45241-4837
TWEET GAROT MECHANICAL INC	325 REID ST		DE PERE	WI	54115-2130
TWG CONSTRUCTION LLC	333 N PENNSYLVANIA ST UNIT 100		INDIANAPOLIS	IN	46204-3360
TWG MANAGEMENT, LLC	333 N PENNSYLVANIA ST UNIT 100		INDIANAPOLIS	IN	46204-3360
TYROLT INCORPORATED DELAWARE	724 N MERCER ST		DECATUR	IL	62522-1699
UDIG LLC	8000 FRANKLIN FARMS DR STE 100		HENRICO	VA	23229-5002
ULC ROBOTICS INC	88 ARKAY DR		HAUPPAUGE	NY	11788-3708
ULTIMATE CONSTRUCTION SERVICES INC	3131 FERNBROOK LN N STE 120		PLYMOUTH	MN	55447-5344
ULTIMATE THERMAL INC	PO BOX 34818		OMAHA	NE	68134-0818
ULTRAFLOTE LLC	3640 W 12TH ST		HOUSTON	TX	77008-6050

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UNITED CONVEYOR AND MACHINERY INSTALLATION LLC	2105 ARBOR TECH DR		HEBRON	KY	41048-7512
UNITED GOLF LLC	2108 N 129TH EAST AVE		TULSA	OK	74116-1729
UNITED PIPING INC	4510 AIRPORT RD		DULUTH	MN	55811-1523
UNITED SERVICES, LLC	PO BOX 12511		OVERLAND PARK	KS	66282-2511
UNITED STATES CONSTRUCTION LLC	5845 HORTON ST STE 203		MISSION	KS	66202-2610
UNIVERSAL COMMUNICATIONS LLC	19915 W 161ST ST STE E		OLATHE	KS	66062-2762
UNIVERSAL WALL SYSTEMS INC	4400 DONKERS CT SE		GRAND RAPIDS	MI	49512-4054
URETEK USA INC	PO BOX 1929		TOMBALL	TX	77377-1929
US SOUTH PLUMBING INC	7555 INDUSTRIAL CT		ALPHARETTA	GA	30004-3379
US TRADES LLC	10735 SKY PRAIRIE ST STE 100		FISHERS	IN	46038-7816
USA RACK INSTALLATIONS LLC	12 NEAL PL		MANCHESTER	NJ	08759-4926
UTILITRA LLC	200 LAKE FRONT PKWY		EDWARDSVILLE	IL	62025-2904
UTILITY SOLUTIONS LLC	14612 PARALLEL LN		BASEHOR	KS	66007-4001
VALCOR MECHANICAL CORPORATION	15149B N FAIRDRIVE LN		WOODLAWN	IL	62898-3306
VANCE CONSTRUCTION SOLUTIONS LLC	PO BOX 17196		JONESBORO	AR	72403-6721
VAUGHN ELECTRIC CO INC	313 E FLORIDA AVE		UNION CITY	TN	38261-3957
VCC LLC	PO BOX 2558		LITTLE ROCK	AR	72203-2558
VECTOR CONSTRUCTION INC	2504 MAIN AVE W		WEST FARGO	ND	58078-1310

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VERTICAL TECHNOLOGY SOLUTIONS, INC.	1936 S LYNHURST DR STE R		INDIANAPOLIS	IN	46241-4636
VIACON INC	70 BANKS RD		STOCKBRIDGE	GA	30281-4362
VICS CRANE AND HEAVY HAUL INC	3000 145TH ST E		ROSEMOUNT	MN	55068-5916
VICTORY AIR INC	853 S KEIFER ST		BENNETT	CO	80102-8733
VIKING ERECTORS CORP	PO BOX 1336		MC MURRAY	PA	15317-4336
VIKING INDUSTRIAL PAINTING LLC	211 S 84TH ST		LINCOLN	NE	68510-2603
VIRGINIA TRANSFORMER CORP	220 GLADE VIEW DR NE		ROANOKE	VA	24012-6470
VISION CONTRACTORS INC	95 OLD DIXIE HWY STE B		ADAIRSVILLE	GA	30103-2044
VISU SEWER INC	W230N48557 BETKER RD		PEWAUKEE	WI	53072
VKW CONSTRUCTION LLC	505 S MADISON DR		TEMPE	AZ	85281-7213
VOLT POWER LLC	2910 HIGHWAY 31 NW		HARTSELLE	AL	35640-4271
W.E. O'NEIL CONSTRUCTION CO.	1245 W WASHINGTON BLVD		CHICAGO	IL	60607-1929
WACHTER EXCAVATING INC	PO BOX 257		SPRING LAKE	MI	49456-0257
WALBRIDGE PAYROLL COMPANY LLC	777 WOODWARD AVE STE 300		DETROIT	MI	48226-3582
WALTERS MORGAN CONSTRUCTION INC	2616 TUTTLE CREEK BLVD		MANHATTAN	KS	66502-4479
WARD ELECTRIC COMPANY, INC.	9586 E I25 FRONTAGE RD STE B		LONGMONT	MO	80504-9458
WARNING LITES OF SOUTHERN ILLINOIS LLC	9441 LEBANON RD		EAST SAINT LOUIS	IL	62203-2213
WATSON ELECTRIC INC	318 N 8TH ST		SALINA	KS	67401-2312

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Contractor Name	Street Address	Street Address 2	City	State	Zip Code
WATTS ELECTRIC COMPANY	13351 DOVERS ST		WAVERLY	NE	68462-2516
WEATHERCRAFT COMPANY OF GRAND ISLAND	323 N CLEBURN ST		GRAND ISLAND	NE	68801-4705
WEIGEL CONSTRUCTION INC	19015 MADISON ST STE A		SPRING HILL	KS	66083-7573
WEILBACHER LANDSCAPING LLC	5436 BOHLEYSVILLE RD		MILLSTADT	IL	62260-2314
WEST COAST INSPECTION SERVICES LLC	8653 AVENIDA COSTA NORTE		SAN DIEGO	CA	92154-6235
WESTERN OILFIELDS SUPPLY COMPANY	PO BOX 2248		BAKERSFIELD	CA	93303-2248
WHEATLAND CONTRACTING LLC	6204 246TH RD		EFFINGHAM	KS	66023-5151
WHITE CONSTRUCTION INC	6325 DIGITAL WAY STE 460		INDIANAPOLIS	IN	46278-1679
WHM CONSTRUCTION INC	3033 COUNTY ROAD 2723		ALTO	TX	75925-7108
WICKS CRANE SERVICE LLC	51 ST ANDREWS WAY		SIOUX CENTER	IA	51250-2955
WIEGMANN WOODWORKING AND FIREPLACES INC	105 SUGAR CREEK LN		DAMIANSVILLE	IL	62215-1353
WIGINTON CORPORATION	699 AERO LN		SANFORD	FL	32771-6699
WILLIAM G CURTH INC	PO BOX 3463		SHAWNEE	KS	66203-0463
WILLIAMS DIVERSIFIED MATERIALS INC	PO BOX 660		BAXTER SPGS	KS	66713-0660
WILLIAMS ELECTRIC CO INC	695 DENTON BLVD NW		FT WALTON BCH	FL	32547-2150
WILSONS POOLS PLUS INC	843 SCOTT TROY RD		LEBANON	IL	62254-1911
WINGER CONTRACTING COMPANY	PO BOX 637		OTTUMWA	IA	52501-0637
WOLTCOM INC	2300 TECHNOLOGY PKWY STE 8		HOLLISTER	CA	95023-2536

Missouri Department of Revenue

Run Date : 8/25/2020 8:02:33 AM

Taxation Division

EI0130

Show Secretary of State Cover: Yes

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
WOODS BASEMENT SYSTEMS INC	524 VANDALIA ST		COLLINSVILLE	IL	62234-4041
WORLDWIDE TURBINES LLC	6770 E ROGERS CIR		BOCA RATON	FL	33487-2649
WR NEWMAN & ASSOCIATES INC	2854 LOGAN ST		NASHVILLE	TN	37211-2409
WS INDUSTRIAL SERVICES INC	533 S MAIN ST		COUNCIL BLUFFS	IA	51503-6508
WS SPECIALTY SERVICES LLC	35 MAIN PL STE 175		COUNCIL BLFS	IA	51503-0708
WVP INSTALLATIONS INC	7317 MAPLE AVE		CINCINNATI	OH	45231-4233
WYCO FIELD SERVICES LLC	3980 QUEBEC ST STE 210		COMMERCE CITY	CO	80022
WYOMING EFFICIENCY CONTRACTORS INC	530 E COSTILLA ST		COLORADO SPGS	CO	80903-3763
XL INDUSTRIAL SERVICES INC	1920 N 400 W		LA PORTE	IN	46350-2131
YOKOGAWA CORPORATION OF AMERICA	2 DART RD		NEWNAN	GA	30265-1094
ZEAMERS WELDING LLC	2772 BLAKE RD E		DE PERE	WI	54115-8720
ZEFCO INC	PO BOX 1387		ANDERSON	SC	29622-1387
ZIMMERMAN CONSTRUCTION COMPANY INC	12509 HEMLOCK ST		OVERLAND PARK	KS	66213-1453

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

**Notice of Dissolution
to All Creditors of and All Claimants Against
Medical Economic Service of Illinois, Inc.**

On June 30, 2020, Medical Economic Service of Illinois, Inc., a Missouri corporation (the "Company"), filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State.

Any claims against the Company must be sent to: Kenneth R. Mulle', P.O. Box 1549, McCall, Idaho 83638-1549. Each claim must include the name, address and phone number of claimant; amount and nature of claim; date on which the claim arose; and any claim documentation.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the date of publication of this notice.

**NOTICE OF WINDING UP FOR
LIMITED LIABILITY COMPANY TO ALL
CREDITORS OF AND CLAIMANTS AGAINST
GRAVES MACHINERY, L.L.C.**

On August 11, 2020, Graves Machinery, L.L.C., a Missouri limited liability company (the "Company") filed its NOTICE OF WINDING UP FOR A LIMITED LIABILITY COMPANY with the Missouri Secretary of State.

All claims against the Company may be sent to Graves Machinery, L.L.C, Attention: Connie Graves, 21894 Silver Oaks, Athens, Alabama 35613. Each claim must include the following: (1) the claimant's name, address, and telephone number; (2) the amount of the claim; (3) the date on which the claim arose or will accrue; (4) a description of the nature of the debt or the basis for the claim; (5) documentation in support of the claim, and (6) whether the claim is secured, and if so, the collateral used as security.

You are further notified that a claim against the Company will be barred unless received within 90 days after the publication date of this notice. If the claim is rejected, the claim will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE TO THE UNKNOWN CREDITORS
OF
COLARELLI, MEYER AND ASSOCIATES, INC.**

You are hereby notified that on August 25, 2020, Colarelli, Meyer and Associates, Inc., a Missouri corporation (the "Corporation"), the principal office of which is located in St. Louis County, Missouri, filed Articles of Dissolution by Voluntary Action with the Secretary of State of Missouri.

In order to file a claim with the Corporation, you must furnish the amount and the basis for the claim and provide all necessary documentation supporting this claim. All claims must be mailed to:

Colarelli, Meyer and Associates, Inc.
Attn: Paul Klug, c/o Polsinelli, PC
100 S. Fourth Street, Suite 1000
St. Louis, MO 63102

A claim against Colarelli, Meyer and Associates, Inc. will be barred, unless a proceeding to enforce the claim is commenced within two years after the last date of publication of this notice.

**Notice of Dissolution of Limited Liability Company To All Creditors of and All Claimants
Against Black Dawn Armory and Range, LLC**

On August 31, 2020, Black Dawn Armory and Range, LLC filed Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Claims against Black Dawn Armory and Range, LLC must be submitted to Steve Abbott, 1308 Evergreen Lane, Jefferson City, MO 65101. Claims must include the following information: (1) name and address of claimant; (2) amount of claim; (3) basis of claim; and (4) documentation of claim. By law, proceedings are barred unless commenced against the LLC within three years after the publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY TO ALL CREDITORS OF AND
CLAIMANTS AGAINST BTS, LLC**

On August 27, 2020, BTS, LLC, a Missouri limited liability company, filed its Notice of Winding up for a Limited Liability Company with the Missouri Secretary of State.

Any and all claims against BTS, LLC must be sent to BridgeBuilder Tax + Legal Services, P.A. Attn. Jacklyn Pringle, 9325 Pflumm Rd., Lenexa, KS 66215. Each claim must include the following information: claimant's name, address, and telephone number; the amount of the claim; the basis for the claim; the date(s) on which the event(s) on which the claim is based occurred; and documentation supporting the claim. Any and all claims against BTS, LLC will be barred unless a proceeding to enforce such a claim is commenced within three years after the publication of this notice.

Notice of Dissolution of Limited Liability Company To All Creditors of and All Claimants Against S & T Property, LLC

On August 31, 2020, S & T Property, LLC filed Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Claims against S & T Property, LLC must be submitted to Steve Abbott, 1308 Evergreen Lane, Jefferson City, MO 65101. Claims must include the following information: (1) name and address of claimant; (2) amount of claim; (3) basis of claim; and (4) documentation of claim. By law, proceedings are barred unless commenced against the LLC within three years after the publication of this notice.

**NOTICE OF WINDING UP
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
U K PROPERTIES, LLC**

On July 17, 2020, U K Properties, LLC, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. U K Properties, LLC requests that all persons and organizations who have claims against it present them immediately by letter to U K Properties, LLC, c/o Steven B. Rees, 26 Forest Hills Ridge Court, Chesterfield, MO 63005.

All claims must include the following information: (a) name and address of the claimant, (b) the amount claimed, (c) date on which the claim arose, (d) basis for the claim and documentation thereof, and (e) whether or not the claim was secured and, if so, the collateral used as security.

All claims against U K Properties, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*; citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—43 (2018) and 44 (2019). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				44 MoReg 2847
1 CSR 10-3.020	Commissioner of Administration	45 MoReg 773	45 MoReg 791	45 MoReg 1347	
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel				45 MoReg 1313
1 CSR 20-5.030	Personnel Advisory Board and Division of Personnel	45 MoReg 774	45 MoReg 792	45 MoReg 1347	
DEPARTMENT OF AGRICULTURE					
2 CSR 30-2.005	Animal Health	45 MoReg 775	45 MoReg 793	45 MoReg 1347	
2 CSR 30-2.016	Animal Health	45 MoReg II07	45 MoReg III		
2 CSR 30-9.040	Animal Health		45 MoReg 24		
2 CSR 80-2.001	State Milk Board		45 MoReg 1340		
2 CSR 80-2.002	State Milk Board		45 MoReg 1340		
2 CSR 80-5.010	State Milk Board		45 MoReg 418	45 MoReg III8	
2 CSR 90	Weights, Measures and Consumer Protection				45 MoReg 1276
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.111	Conservation Commission		This Issue		
3 CSR 10-7.405	Conservation Commission		45 MoReg 992		
3 CSR 10-7.410	Conservation Commission		45 MoReg 992		
3 CSR 10-9.353	Conservation Commission		45 MoReg 721	45 MoReg 1273	
3 CSR 10-9.565	Conservation Commission		45 MoReg 721	45 MoReg 1273	
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 195-1.010	Division of Workforce Development <i>moved to 6 CSR 300-1.010</i>				45 MoReg 1130
4 CSR 195-6.010	Division of Workforce Development <i>moved to 6 CSR 300-6.010</i>				45 MoReg 1130
4 CSR 195-6.020	Division of Workforce Development <i>moved to 6 CSR 300-6.020</i>				45 MoReg 1130
4 CSR 195-6.030	Division of Workforce Development <i>moved to 6 CSR 300-6.030</i>				45 MoReg 1130
4 CSR 195-6.040	Division of Workforce Development <i>moved to 6 CSR 300-6.040</i>				45 MoReg 1130
4 CSR 195-6.050	Division of Workforce Development <i>moved to 6 CSR 300-6.050</i>				45 MoReg 1130
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 10-2.010	Commissioner of Education		45 MoReg 589R	45 MoReg 1307R	
5 CSR 10-2.020	Commissioner of Education		45 MoReg 589R	45 MoReg 1307R	
5 CSR 10-2.030	Commissioner of Education		45 MoReg 589R	45 MoReg 1307R	
5 CSR 20-100.230	Division of Learning Services		45 MoReg 1067		
5 CSR 20-100.250	Division of Learning Services		This IssueR		
5 CSR 20-400.160	Division of Learning Services		45 MoReg 993R		
5 CSR 20-400.170	Division of Learning Services		45 MoReg 993R		
5 CSR 20-400.190	Division of Learning Services		45 MoReg 994R		
5 CSR 20-400.200	Division of Learning Services		45 MoReg 994R		
5 CSR 20-400.220	Division of Learning Services	This Issue	This Issue		
5 CSR 20-400.300	Division of Learning Services		45 MoReg 590R	45 MoReg 1307R	
5 CSR 20-400.310	Division of Learning Services		45 MoReg 590R	45 MoReg 1308R	
5 CSR 20-400.320	Division of Learning Services		45 MoReg 590R	45 MoReg 1308R	
5 CSR 20-400.330	Division of Learning Services		45 MoReg 311	45 MoReg III8	
5 CSR 20-400.440	Division of Learning Services		45 MoReg 591	45 MoReg 1308	
5 CSR 20-400.640	Division of Learning Services		This Issue		
5 CSR 20-400.660	Division of Learning Services		45 MoReg 476	45 MoReg 1309	
5 CSR 30-4.050	Division of Financial and Administrative Services	45 MoReg 879			
5 CSR 30-261.045	Division of Financial and Administrative Services		45 MoReg 592	45 MoReg 1309	
5 CSR 30-660.085	Division of Financial and Administrative Services	45 MoReg 1215	45 MoReg 1222		
5 CSR 30-660.090	Division of Financial and Administrative Services	This Issue	This Issue		
DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT					
6 CSR 300-1.010	Office of Workforce Development <i>formally 4 CSR 195-1.010</i>				45 MoReg 1130
6 CSR 300-6.010	Office of Workforce Development <i>formally 4 CSR 195-6.010</i>				45 MoReg II30
6 CSR 300-6.020	Office of Workforce Development <i>formally 4 CSR 195-6.020</i>				45 MoReg 1276
6 CSR 300-6.030	Office of Workforce Development <i>formally 4 CSR 195-6.030</i>				45 MoReg 1130
6 CSR 300-6.040	Office of Workforce Development <i>formally 4 CSR 195-6.040</i>				45 MoReg 1130
6 CSR 300-6.050	Office of Workforce Development <i>formally 4 CSR 195-6.050</i>				45 MoReg 1130
MISSOURI DEPARTMENT OF TRANSPORTATION					
7 CSR 10-25.010	Missouri Highways and Transportation Commission		45 MoReg 531	45 MoReg 1347	

Rule Changes Since Update

Rule Number	Agency	Emergency	Proposed	Order	In Addition
8 CSR 50-5.005	DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS Division of Workers' Compensation	45 MoReg 713			
DEPARTMENT OF MENTAL HEALTH					
9 CSR 40-1.015	Licensing Rules		45 MoReg 897		
9 CSR 40-1.055	Licensing Rules		45 MoReg 903		
9 CSR 40-1.060	Licensing Rules		45 MoReg 909		
9 CSR 40-1.065	Licensing Rules		45 MoReg 911		
9 CSR 40-1.070	Licensing Rules		45 MoReg 913		
9 CSR 40-1.075	Licensing Rules		45 MoReg 914		
9 CSR 40-1.080	Licensing Rules		45 MoReg 917		
9 CSR 40-1.085	Licensing Rules		45 MoReg 918		
9 CSR 40-1.090	Licensing Rules		45 MoReg 920		
9 CSR 40-1.105	Licensing Rules		45 MoReg 923R		
9 CSR 40-2.015	Licensing Rules		45 MoReg 923R		
9 CSR 40-2.075	Licensing Rules		45 MoReg 924R		
9 CSR 40-3.115	Licensing Rules		45 MoReg 924R		
9 CSR 40-3.135	Licensing Rules		45 MoReg 924R		
9 CSR 40-4.001	Licensing Rules		45 MoReg 925		
9 CSR 40-4.095	Licensing Rules		45 MoReg 926R		
9 CSR 40-4.115	Licensing Rules		45 MoReg 926R		
9 CSR 40-4.116	Licensing Rules		45 MoReg 926R		
9 CSR 40-4.135	Licensing Rules		45 MoReg 927R		
9 CSR 40-4.145	Licensing Rules		45 MoReg 927R		
9 CSR 40-4.155	Licensing Rules		45 MoReg 927R		
9 CSR 40-6.001	Licensing Rules		45 MoReg 928		
9 CSR 40-6.015	Licensing Rules		45 MoReg 928R		
9 CSR 40-6.035	Licensing Rules		45 MoReg 929R		
9 CSR 40-6.055	Licensing Rules		45 MoReg 929R		
9 CSR 40-6.075	Licensing Rules		45 MoReg 929R		
9 CSR 40-7.015	Licensing Rules		45 MoReg 930R		
9 CSR 40-7.035	Licensing Rules		45 MoReg 930R		
9 CSR 40-7.055	Licensing Rules		45 MoReg 930R		
9 CSR 40-7.075	Licensing Rules		45 MoReg 930R		
9 CSR 40-8.075	Licensing Rules		45 MoReg 931R		
9 CSR 40-9.015	Licensing Rules		45 MoReg 931R		
9 CSR 40-9.035	Licensing Rules		45 MoReg 931R		
9 CSR 40-9.055	Licensing Rules		45 MoReg 932R		
9 CSR 40-9.075	Licensing Rules		45 MoReg 932		
9 CSR 40-9.095	Licensing Rules		45 MoReg 934R		
9 CSR 40-9.115	Licensing Rules		45 MoReg 934R		
9 CSR 40-9.135	Licensing Rules		45 MoReg 935R		
9 CSR 40-9.145	Licensing Rules		45 MoReg 935R		
9 CSR 40-9.155	Licensing Rules		45 MoReg 935R		
9 CSR 40-10.015	Licensing Rules		45 MoReg 935R		
9 CSR 40-10.035	Licensing Rules		45 MoReg 936R		
9 CSR 40-10.055	Licensing Rules		45 MoReg 936R		
9 CSR 40-10.075	Licensing Rules		45 MoReg 936R		
9 CSR 40-10.095	Licensing Rules		45 MoReg 937R		
9 CSR 40-10.115	Licensing Rules		45 MoReg 937R		
9 CSR 40-10.135	Licensing Rules		45 MoReg 937R		
9 CSR 40-10.145	Licensing Rules		45 MoReg 938R		
9 CSR 40-10.155	Licensing Rules		45 MoReg 938R		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-2.330	Air Conservation Commission		45 MoReg 312R	45 MoReg 1118R	
10 CSR 10-5.390	Air Conservation Commission		45 MoReg 25	45 MoReg 1119	
10 CSR 10-6.061	Air Conservation Commission		45 MoReg 27	45 MoReg 1121	
10 CSR 10-6.070	Air Conservation Commission		45 MoReg 32	45 MoReg 1125	
10 CSR 10-6.075	Air Conservation Commission		45 MoReg 33	45 MoReg 1125	
10 CSR 10-6.080	Air Conservation Commission		45 MoReg 33	45 MoReg 1125	
10 CSR 10-6.110	Air Conservation Commission		45 MoReg 1228		
10 CSR 10-6.270	Air Conservation Commission		45 MoReg 34	45 MoReg 1126	
10 CSR 10-6.405	Air Conservation Commission		45 MoReg 35	45 MoReg 1126	
10 CSR 25-12.010	Hazardous Waste Management Commission	45 MoReg 527	45 MoReg 994		
10 CSR 60-16.010	Safe Drinking Water Commission		45 MoReg 1237		
10 CSR 60-16.020	Safe Drinking Water Commission		45 MoReg 1242		
10 CSR 60-16.030	Safe Drinking Water Commission		45 MoReg 1244		
10 CSR 60-16.040	Safe Drinking Water Commission		45 MoReg 1246		
10 CSR 140-2	Energy Set-Aside Fund				45 MoReg 1130
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 30-10.020	Office of the Director		This Issue		
11 CSR 70-2.030	Division of Alcohol and Tobacco Control		45 MoReg 1341		
11 CSR 70-2.060	Division of Alcohol and Tobacco Control		45 MoReg 1341		
11 CSR 70-2.120	Division of Alcohol and Tobacco Control		45 MoReg 1342		
11 CSR 70-3.020	Division of Alcohol and Tobacco Control		45 MoReg 1342		
11 CSR 75-13.050	Peace Officer Standards and Training Program		45 MoReg 1111		
11 CSR 75-14.050	Peace Officer Standards and Training Program		45 MoReg 1112		
11 CSR 90-1.010	Missouri 911 Service Board	45 MoReg 879	45 MoReg 938		
11 CSR 90-1.020	Missouri 911 Service Board	45 MoReg 880	45 MoReg 939		
11 CSR 90-1.030	Missouri 911 Service Board	45 MoReg 880	45 MoReg 939		
11 CSR 90-1.040	Missouri 911 Service Board	45 MoReg 881	45 MoReg 940		
11 CSR 90-1.050	Missouri 911 Service Board	45 MoReg 882	45 MoReg 940		
11 CSR 90-2.010	Missouri 911 Service Board	45 MoReg 882	45 MoReg 940		
11 CSR 90-2.020	Missouri 911 Service Board	45 MoReg 883	45 MoReg 941		
11 CSR 90-2.030	Missouri 911 Service Board	45 MoReg 885	45 MoReg 943		
11 CSR 90-2.040	Missouri 911 Service Board	45 MoReg 886	45 MoReg 944		
11 CSR 90-2.050	Missouri 911 Service Board	45 MoReg 887	45 MoReg 944		
11 CSR 90-3.010	Missouri 911 Service Board	45 MoReg 888	45 MoReg 945		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF REVENUE					
12 CSR 40-50.050	State Lottery				45 MoReg 1131
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 35-31.060	Children's Division	45 MoReg 985			
13 CSR 35-60.020	Children's Division		45 MoReg III2		
13 CSR 35-60.040	Children's Division		45 MoReg III3		
13 CSR 35-60.080	Children's Division		45 MoReg III7		
13 CSR 35-60.120	Children's Division	45 MoReg 888	45 MoReg 945		
13 CSR 40-2.160	Family Support Division	45 MoReg 775	45 MoReg 793		
13 CSR 40-2.210	Family Support Division		45 MoReg 946R		
13 CSR 40-3.010	Family Support Division <i>moved to 13 CSR 40-108.010</i>		45 MoReg 999		
13 CSR 40-108.010	Family Support Division <i>formerly 13 CSR 40-3.010</i>		45 MoReg 999		
13 CSR 70-3.320	MO HealthNet Division		45 MoReg 1249		
13 CSR 70-5.010	MO HealthNet Division		This Issue		
13 CSR 70-25.140	MO HealthNet Division		This Issue		
13 CSR 70-15.010	MO HealthNet Division		45 MoReg 796		
13 CSR 70-15.015	MO HealthNet Division	45 MoReg 778	45 MoReg 809		
13 CSR 70-15.110	MO HealthNet Division		45 MoReg 817		
13 CSR 70-45.010	MO HealthNet Division		45 MoReg 946		
13 CSR 70-95.010	MO HealthNet Division		45 MoReg 826		
ELECTED OFFICIALS					
15 CSR 30-50.030	Secretary of State		45 MoReg 1343		
15 CSR 30-54.205	Secretary of State		45 MoReg 1343		
15 CSR 30-100.005	Secretary of State	This Issue	This Issue		
15 CSR 30-100.010	Secretary of State	This Issue	This Issue		
15 CSR 30-100.015	Secretary of State	This Issue	This Issue		
15 CSR 30-110.010	Secretary of State		This IssueR		
15 CSR 30-110.020	Secretary of State		This IssueR		
15 CSR 30-110.030	Secretary of State	This Issue	This Issue		
15 CSR 30-110.040	Secretary of State	This Issue	This Issue		
15 CSR 30-110.050	Secretary of State	This Issue	This Issue		
15 CSR 30-110.060	Secretary of State	This Issue	This Issue		
15 CSR 30-110.070	Secretary of State	This Issue	This Issue		
15 CSR 30-110.080	Secretary of State	This Issue	This Issue		
RETIREMENT SYSTEMS					
16 CSR 10-5.010	The Public School Retirement System of Missouri				45 MoReg 1348
16 CSR 10-5.020	The Public School Retirement System of Missouri		45 MoReg 1000		
16 CSR 10-6.060	The Public School Retirement System of Missouri				45 MoReg 1348
16 CSR 10-6.070	The Public School Retirement System of Missouri		45 MoReg 1002		
16 CSR 50-20.070	The County Employees' Retirement Fund		45 MoReg 1255		
16 CSR 50-20.120	The County Employees' Retirement Fund		45 MoReg 1256		
DEPARTMENT OF HEALTH AND SENIOR SERVICES					
19 CSR 10-4.020	Office of the Director		45 MoReg 592	45 MoReg 1274	
19 CSR 10-15.020	Office of the Director		45 MoReg 478	45 MoReg II27	
19 CSR 10-15.060	Office of the Director	45 MoReg 985	45 MoReg 1004		
19 CSR 15-9.100	Division of Senior and Disability Services		45 MoReg 1304R		
19 CSR 15-9.200	Division of Senior and Disability Services		45 MoReg 1304R		
19 CSR 20-2.020	Division of Community and Public Health		44 MoReg 3066R		
19 CSR 20-3.040	Division of Community and Public Health		45 MoReg 830R	45 MoReg 1310R	
19 CSR 30-35.010	Division of Regulation and Licensure		45 MoReg 1257		
19 CSR 30-40.331	Division of Regulation and Licensure				45 MoReg 1348
19 CSR 30-40.800	Division of Regulation and Licensure				45 MoReg 1348
19 CSR 30-61.010	Division of Regulation and Licensure		This Issue		
19 CSR 30-61.045	Division of Regulation and Licensure		This Issue		
19 CSR 30-61.055	Division of Regulation and Licensure	This Issue	This Issue		
19 CSR 30-61.105	Division of Regulation and Licensure		This Issue		
19 CSR 30-62.010	Division of Regulation and Licensure		This Issue		
19 CSR 30-62.042	Division of Regulation and Licensure		This Issue		
19 CSR 30-62.052	Division of Regulation and Licensure	This Issue	This Issue		
19 CSR 30-62.102	Division of Regulation and Licensure		This Issue		
19 CSR 30-63.010	Division of Regulation and Licensure	This Issue	This Issue		
19 CSR 30-63.020	Division of Regulation and Licensure	This Issue	This Issue		
19 CSR 30-63.040	Division of Regulation and Licensure	This Issue	This Issue		
19 CSR 30-63.050	Division of Regulation and Licensure	This Issue	This Issue		
19 CSR 30-70.620	Division of Regulation and Licensure	45 MoReg 578	45 MoReg 594	45 MoReg 1275	
19 CSR 30-70.630	Division of Regulation and Licensure	45 MoReg 578	45 MoReg 594	45 MoReg 1275	
19 CSR 30-91.010	Division of Regulation and Licensure	This Issue	This Issue		
19 CSR 30-95.110	Division of Regulation and Licensure		45 MoReg 1005		
19 CSR 40-4.010	Division of Maternal, Child and Family Health		44 MoReg 3067R		
			45 MoReg 830R	45 MoReg 1310R	
19 CSR 40-7.010	Division of Maternal, Child and Family Health		44 MoReg 3067R		
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19 CSR 40-7.020	Division of Maternal, Child and Family Health		44 MoReg 3067R		
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19 CSR 40-7.030	Division of Maternal, Child and Family Health		44 MoReg 3068R		
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20 CSR	Sovereign Immunity Limits				44 MoReg 3221
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20 CSR 200-22.010	Insurance Solvency and Company Regulation	45 MoReg 1337	45 MoReg 1345		

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20 CSR 500-7.020	Property and Casualty	45 MoReg 376			
20 CSR 500-7.030	Property and Casualty	45 MoReg 377			
20 CSR 500-7.050	Property and Casualty	45 MoReg 377			
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20 CSR 500-7.090	Property and Casualty	45 MoReg 380			
20 CSR 500-7.200	Property and Casualty	45 MoReg 381			
20 CSR 700-4.100	Insurance Licensing	45 MoReg 382 45 MoReg 1070			
20 CSR 700-8.005	Insurance Licensing	45 MoReg 383			
20 CSR 700-8.150	Insurance Licensing	45 MoReg 383			
20 CSR 2010-2.065	Missouri State Board of Accountancy	45 MoReg 532	45 MoReg 1127		
20 CSR 2010-2.075	Missouri State Board of Accountancy	45 MoReg 532	45 MoReg 1127		
20 CSR 2010-2.160	Missouri State Board of Accountancy	45 MoReg 1059	45 MoReg 1071		
20 CSR 2010-4.020	Missouri State Board of Accountancy		45 MoReg 533	45 MoReg 1127	
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20 CSR 2110-1.010	Missouri Dental Board		45 MoReg III7		
20 CSR 2110-2.020	Missouri Dental Board	45 MoReg 785			
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20 CSR 2120-1.040	State Board of Embalmers and Funeral Directors		45 MoReg 533	45 MoReg 1127	
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20 CSR 2120-2.030	State Board of Embalmers and Funeral Directors		45 MoReg 535R	45 MoReg 1127R	
20 CSR 2120-2.031	State Board of Embalmers and Funeral Directors		45 MoReg 535	45 MoReg 1128	
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20 CSR 2120-2.220	State Board of Embalmers and Funeral Directors		45 MoReg 1265		
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20 CSR 2120-3.200	State Board of Embalmers and Funeral Directors		45 MoReg 547R	45 MoReg 1129R	
20 CSR 2120-3.300	State Board of Embalmers and Funeral Directors		45 MoReg 547R	45 MoReg 1129R	
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20 CSR 2120-3.525	State Board of Embalmers and Funeral Directors		45 MoReg 547	45 MoReg 1129	
20 CSR 2150-2.068	State Board of Registration for the Healing Arts	45 MoReg 788			
20 CSR 2150-5.029	State Board of Registration for the Healing Arts		45 MoReg 548	45 MoReg 1311	
20 CSR 2210-2.030	State Board of Optometry		45 MoReg 1345		
20 CSR 2220-2.195	State Board of Pharmacy	This Issue			
20 CSR 2220-3.040	State Board of Pharmacy		45 MoReg 947	This Issue	
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20 CSR 2220-7.025	State Board of Pharmacy			45 MoReg 1277	
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20 CSR 2250-5.020	Missouri Real Estate Commission	45 MoReg 889	45 MoReg 948	This Issue	
20 CSR 2263-1.035	State Committee for Social Workers	45 MoReg 893	45 MoReg 951	This Issue	
20 CSR 2263-2.032	State Committee for Social Workers		45 MoReg III7		
20 CSR 4240-3.155	Public Service Commission		45 MoReg 1005R		
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1 CSR 10-3.020	Deduction of Amounts Owed by Employees to the State 45 MoReg 773	April 30, 2020	Oct. 30, 2020
Personnel Advisory Board and Division of Personnel			
1 CSR 20-5.020	Leaves of Absence	Next Issue	Oct. 30, 2020 Jan. 31, 2021
1 CSR 20-5.030	Borrowed Leave	45 MoReg 774	April 30, 2020 Oct. 30, 2020
Department of Agriculture			
Animal Health			
2 CSR 30-2.005	Vesicular Stomatitis Restrictions on Domestic and Exotic Ungulates (Hoofed Animals) Entering Missouri	45 MoReg 775	May 15, 2020 Nov. 10, 2020
2 CSR 30-2.016	Rabbit Hemorrhagic Disease Import Restrictions on Rabbits and Hares Entering Missouri	45 MoReg 1107	July 16, 2020 Jan. 11, 2021
Department of Elementary and Secondary Education			
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5 CSR 20-400.220	Application for Substitute Certificate of License to Teach This Issue Sept. 2, 2020 Feb. 28, 2021
5 CSR 30-660.085	Attendance Hour Reporting	45 MoReg 1215	. . . . . Aug. 1, 2020
5 CSR 30-660.090	Charter School Local Education Agency (LEA) Attendance Hour Reporting	This Issue Sept. 2, 2020
Department of Labor and Industrial Relations			
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8 CSR 50-5.005	Presumption of Occupational Disease for First Responders	45 MoReg 713	April 22, 2020 Feb. 1, 2021
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11 CSR 90-1.010	Overview	45 MoReg 879	May 21, 2020 Feb. 25, 2021
11 CSR 90-1.020	Organization and Administration	45 MoReg 880	May 21, 2020 Feb. 25, 2021
11 CSR 90-1.030	Code of Ethics	45 MoReg 880	May 21, 2020 Feb. 25, 2021
11 CSR 90-1.040	Board Meetings	45 MoReg 881	May 21, 2020 Feb. 25, 2021
11 CSR 90-1.050	Addressing Board	45 MoReg 882	May 21, 2020 Feb. 25, 2021
11 CSR 90-2.010	Definitions	45 MoReg 882	May 21, 2020 Feb. 25, 2021
11 CSR 90-2.020	Application Requirements and Submission Procedure	45 MoReg 883	May 21, 2020 Feb. 25, 2021
11 CSR 90-2.030	Application Review and Decision	45 MoReg 885	May 21, 2020 Feb. 25, 2021
11 CSR 90-2.040	Project Administration	45 MoReg 886	May 21, 2020 Feb. 25, 2021
11 CSR 90-2.050	Protests	45 MoReg 887	May 21, 2020 Feb. 25, 2021
11 CSR 90-3.010	Funding Rates	45 MoReg 888	May 21, 2020 Feb. 25, 2021
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13 CSR 35-31.060	Child Abuse and Neglect Review Board Administrative Appeals by Teleconference	45 MoReg 985	June 12, 2020 Feb. 25, 2021
13 CSR 35-60.120	Criminal Background Check Screening due to Coronavirus- Related Closures	45 MoReg 888	May 21, 2020 Feb. 25, 2021
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13 CSR 40-2.160	State Hearing Procedures	45 MoReg 775	April 30, 2020 Feb. 9, 2021
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13 CSR 70-15.015	Direct Medicaid Payments	45 MoReg 778	May 15, 2020 Feb. 24, 2021
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15 CSR 30-100.005	Notary Complaint Process	This Issue	Sept. 15, 2020 March 13, 2021
15 CSR 30-100.010	Approval	This Issue	Sept. 15, 2020 March 13, 2021
15 CSR 30-100.015	Request for Hearing on Suspension or an Appeal on a Denial of an Application	This Issue	Sept. 15, 2020 March 13, 2021
15 CSR 30-110.030	Remote Online Notarization (RON) Approval	This Issue	Sept. 15, 2020 March 13, 2021
15 CSR 30-110.040	Remote Online Notarization (RON) Criteria	This Issue	Sept. 15, 2020 March 13, 2021
15 CSR 30-110.050	Remote Online Notarization (RON) Credentials	This Issue	Sept. 15, 2020 March 13, 2021
15 CSR 30-110.060	Audio and Video Quality	This Issue	Sept. 15, 2020 March 13, 2021
15 CSR 30-110.070	Storage and Retention of Notarial Records	This Issue	Sept. 15, 2020 March 13, 2021
15 CSR 30-110.080	Audit Trail	This Issue	Sept. 15, 2020 March 13, 2021
Department of Health and Senior Services			
Office of the Director			
19 CSR 10-15.060	Prohibition on Expenditure of Funds	45 MoReg 985	June 8, 2020 Feb. 25, 2021

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Division of Regulation and Licensure				
19 CSR 30-61.055	Annual Requirements	This Issue	Sept. 15, 2020 . . .	March 13, 2020
19 CSR 30-62.052	Annual Requirements	This Issue	Sept. 15, 2020 . . .	March 13, 2020
19 CSR 30-63.010	Definitions	This Issue	Sept. 15, 2020 . . .	March 13, 2020
19 CSR 30-63.020	General Requirements	This Issue	Sept. 15, 2020 . . .	March 13, 2020
19 CSR 30-63.040	Background Screening Findings	This Issue	Sept. 15, 2020 . . .	March 13, 2020
19 CSR 30-63.050	Process for Appeal Required in Section 210.1080, RSMo	This Issue	Sept. 15, 2020 . . .	March 13, 2020
19 CSR 30-70.620	Work Practice Standards for a Lead Risk Assessment . . . . .	.45 MoReg 578	April 10, 2020	Oct. 6, 2020
19 CSR 30-70.630	Lead Abatement Work Practice Standards . . . . .	.45 MoReg 578	April 10, 2020	Oct. 6, 2020
19 CSR 30-91.010	Authorized Electronic Monitoring	This Issue	Sept. 3, 2020	March 1, 2021
Department of Commerce and Insurance				
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20 CSR 200-22.010	Licensing Procedures for Pharmacy Benefits Managers45 MoReg 1337	Aug. 28, 2020	Feb. 23, 2021
Missouri State Board of Accountancy				
20 CSR 2010-2.160	Fees . . . . .	.45 MoReg 1059	June 24, 2020	Feb. 25, 2021
Missouri Dental Board				
20 CSR 2110-2.020	Limited Temporary Dental License . . . . .	.45 MoReg 785	May 7, 2020	Feb. 16, 2021
20 CSR 2110-2.170	Fees . . . . .	.45 MoReg 1301	Aug. 12, 2020	Feb. 25, 2021
State Board of Registration for the Healing Arts				
20 CSR 2150-2.068	Graduate Medical Student Temporary License . . . . .	.45 MoReg 788	May 15, 2020	Nov. 10, 2020
State Board of Pharmacy				
20 CSR 2220-2.680	Class R — Remote Dispensing Site Pharmacy . . . . .	.Next Issue	Sept. 18, 2020	March 16, 2021
20 CSR 2220-4.010	General Fees . . . . .	.45 MoReg 1107	July 16, 2020	Jan. 11, 2021
Missouri Real Estate Commission				
20 CSR 2250-5.020	Application and License Fee . . . . .	.45 MoReg 889	May 27, 2020	Feb. 25, 2021
State Committee for Social Workers				
20 CSR 2263-1.035	Fees45 MoReg 893	May 29, 2020	Feb. 25, 2021

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Orders****Subject Matter****Filed Date****Publication****2020**

20-16	Extends Executive Order 20-12 regarding the activation of the state militia until December 30, 2020	September 15, 2020	Next Issue
20-15	Establishes the Interagency Task Force on Worker Classification	September 11, 2020	Next Issue
20-14	Suspends the requirement of physical appearance as stated in Chapter 474 by authorizing the use of audio-visual technology	September 3, 2020	Next Issue
Proclamation	Amends the matters specifically designated and limited for consideration by the General Assembly in the July 15, 2020 Proclamation	August 10, 2020	45 MoReg 1338
20-13	Extends Executive Order 18-12 regarding the 2020 Census until November 30, 2020	July 31, 2020	45 MoReg 1303
Proclamation	Convenes the one hundredth general assembly of the State of Missouri in the First Extra Session of the Second Regular Session	July 15, 2020	45 MoReg 1220
20-12	Extends the State of Emergency, activation of the State Emergency Operations Plan and activation of the state militia. Gov. Michael Parson also extends, in part, the provisions of Executive Order 20-04. Gov. Parson also extends, in whole, Executive Orders 20-05, 20-06, and 20-08	June 11, 2020	45 MoReg 1064
20-11	Declares a State of Emergency and activates the state militia due to civil unrest in Missouri	May 30, 2020	45 MoReg 990
Proclamation	Calls for a special election on August 4th of 2020	May 26, 2020	45 MoReg 988
20-10	Extends Executive Orders 20-04, 20-05, 20-06, and 20-08 until June 15, 2020	May 4, 2020	45 MoReg 895
20-09	Extends the State of Emergency declared in Executive Order 20-02 until June 15, 2020 and directs the Missouri State Emergency Operations Plan to remain activated	April 24, 2020	45 MoReg 789
20-08	Suspends the requirement of personal appearance before a notary public by authorizing the use of audio-video technology	April 6, 2020	45 MoReg 718
20-07	Waives late penalties for concealed carry permits for 60 days	April 2, 2020	45 MoReg 716
20-06	Activates the state militia in response to the COVID-19 pandemic	March 27, 2020	45 MoReg 587
20-05	Suspends the prohibition of the sale of unprepared food by restaurants to the public during the current state of emergency	March 23, 2020	45 MoReg 585
20-04	Suspends certain agency regulations to allow them to address the current state of emergency	March 18, 2020	45 MoReg 583
20-03	Postpones the General Municipal Election scheduled for April 7, 2020 until June 2, 2020	March 18, 2020	45 MoReg 580
20-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated	March 13, 2020	45 MoReg 529
20-01	Designates supervisory authority over select departments, divisions, or agencies of government	Feb. 03, 2020	45 MoReg 352

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19-21	Closes state offices December 24, 2019 at 1 pm	Dec. 16, 2019	45 MoReg 101
19-20	Creates the Office of Apprenticeship and Work-Based Learning (OAWBL) and makes it a distinct office within the Missouri Department of Higher Education and Workforce Development	Nov. 12, 2019	44 MoReg 3181
19-19	Closes state offices November 29, 2019	Nov. 4, 2019	44 MoReg 2816
Proclamation	Governor reduces line items in the budget	Oct. 28, 2019	44 MoReg 2959
19-18	Orders the Department of Health and Senior Services, Department of Elementary and Secondary Education, and the Department of Public Safety to develop a statewide campaign to deter the use of vaping devices by Missouri youths	Oct. 15, 2019	44 MoReg 2815
19-17	Rescinds Executive Order 81-24	Sept. 20, 2019	44 MoReg 2664
19-16	Orders the commencement of the Missouri as a Model Employer Initiative, with directives for the State of Missouri employing people with disabilities	Sept. 9, 2019	44 MoReg 2576
19-15	Declares the Department of Higher Education be henceforth called Department of Higher Education and Workforce Development	Aug. 28, 2019	44 MoReg 2438
Proclamation	Calls for a Special Session of the One Hundredth General Assembly	Aug. 21, 2019	44 MoReg 2436
19-14	Establishes the Flood Recovery Advisory Working Group	July 18, 2019	44 MoReg 2281
19-13	Establishes the Missouri Health Insurance Innovation Task Force	July 17, 2019	44 MoReg 2278
19-12	Closes state offices July 5, 2019	July 3, 2019	44 MoReg 2239
19-11	Establishes the Missouri Food, Beverage, and Forest Products Manufacturing Task Force	June 28, 2019	44 MoReg 2085
19-10	Extends Executive Order 19-06 - State of Emergency	June 13, 2019	44 MoReg 1993

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19-09	Calls and orders into active service, portions of the organized militia as necessary to aid executive officials in protecting life and property	May 27, 2019	44 MoReg 1830
19-08	Declares a State of Emergency	May 21, 2019	44 MoReg 1828
Writ of Election	Fills vacancy in the One Hundredth General Assembly from the 158th district	April 23, 2019	44 MoReg 1499
Writ of Election	Fills vacancy in the One Hundredth General Assembly from the 99th district	April 23, 2019	44 MoReg 1497
19-07	Extends Executive Order 19-06 - State of Emergency	April 30, 2019	44 MoReg 1501
19-06	Gives the Department of Natural Resources discretionary authority to waive or suspend operation to best serve the interests of the public health and safety during the State of Emergency	March 29, 2019	44 MoReg 1246
19-05	Declares a State of Emergency	March 21, 2019	44 MoReg 1244
19-04	Establishes the Missouri School Safety Task Force	March 13, 2019	44 MoReg 1131
Proclamation	Governor reduces line items in the budget	Jan. 28, 2019	44 MoReg 771
19-03	Transfers the Division of Workforce Development to the Department of Higher Education	Jan. 17, 2019	44 MoReg 767
19-02	Transfers the Office of Public Counsel and Public Service Commission to the Department of Insurance, Financial Institutions and Professional Registration	Jan. 17, 2019	44 MoReg 765
19-01	Transfers the Division of Energy to the Department of Natural Resources	Jan. 17, 2019	44 MoReg 763

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Rulemaking Classes

Are you new to rulemaking or in need of a refresher course to assist you in filing rules or understanding the rulemaking process?

The Administrative Rules Division offers group and individual classes for rule drafting and preparation of rule packets. Please call Curtis at (573) 751-2022 or email curtis.treat@sos.mo.gov to schedule a class.

Administrative Rules Contact Information

General Inquiries

(573) 751-4015

rules@sos.mo.gov

Curtis W. Treat, Editor-in-Chief

(573) 751-2022

curtis.treat@sos.mo.gov

John C. Stegmann, Managing Editor

(573) 522-2196

john.stegmann@sos.mo.gov

Vonne Kilbourn, Editor

(573) 751-1818

vonne.kilbourn@sos.mo.gov

Jennifer Alex Moore, Associate Editor

(573) 522-2593

jennifer.moore@sos.mo.gov

Jacqueline D. White, Publication Specialist

(573) 526-1259

jacqueline.white@sos.mo.gov

Tammy Winkelmann, Administrative Aide

(573) 751-4015

tammy.winkelmann@sos.mo.gov